

CHRISTOPHER JOHN BERGER - OBJECTIONS TO DESIGNATIONS

55:4-7	Rule 403 Confusion of issues and misleading
67:2-23	Foundation; Rule 602, Rule 401, 403 Relevance
68:12-15	Foundation; Rule 602, Rule 401, 403 Relevance
79:4-6	Incomplete question
85:11-23	Line 11, 17 – Calls for speculation
89:25-90:3	Object to form
95:24-96:2	Vague, ambiguous
97:4-11	Vague, ambiguous
98:18-22	Vague, ambiguous
99:3-10	Rule 403 Relevance, confusion of issues
99:11-15	Rule 403 Relevance, confusion of issues or misleading – vague, ambiguous, argumentative

RICHARD BISHOP, PhD – OBJECTIONS TO DESIGNATIONS

18:11-12	Rule 401 – Relevance; Rule 403
26:6-12	Rule 403 – Confusion of issues or misleading to jury
26:13-14	Rule 403 – Confusion of issues or misleading to jury
31:7-17	Calls for legal conclusion
31:18-22	Calls for legal conclusion
33:24-34:3	Rule 403 – Confusion of issues or misleading to jury
35:25-36:3	Rule 403 – Confusion of issues or misleading to jury
36:4-6	Rule 403 – Confusion of issues or misleading to jury
36:7-8	Rule 403 – Confusion of issues or misleading to jury
36:9-11	Rule 403 – Confusion of issues or misleading to jury
36:12-14	Rule 403 – Confusion of issues or misleading to jury
36:15-20	Rule 403 – Confusion of issues or misleading to jury
36:21-23	Rule 403 – Confusion of issues or misleading to jury
36:24-37:8	Rule 403 – Confusion of issues or misleading to jury; Rule 602 - Foundation; objection to form - ambiguous to ask about all visitors of river and lake based on recreation study
37:17-38:14	Objection to form - ambiguous
39:17-22	Objection to form - mischaracterizes prior testimony
51:25-52:6	Rule 401 – Relevance; Rule 602 – Foundation
55:2-5	Rule 403
55:6-10	Rule 403
59:8-13	Rule 403 – Confusion of issues; legal issue
59:14-20	Rule 403 – Confusion of issues; legal issue
65:11-66:2	Objection to form - calls for speculation
66:3-7	Objection to form - calls for speculation
66:8-15	Objection to form - calls for speculation
66:16-24	Objection to form - calls for speculation
66:25-67:4	Objection to form - calls for speculation
80:24-25	Rule 403 – Confusion of issues, misleading to jury
81:6-10	Rule 403 – Confusion of issues, misleading to jury
81:18-25	Rule 403 – Confusion of issues, misleading to jury
82:3-7	Rule 403 – Confusion of issues, misleading to jury
82:8-11	Rule 403 – Confusion of issues, misleading to jury
82:12-13	Rule 403 – Confusion of issues, misleading to jury
82:14-18	Rule 403 – Confusion of issues, misleading to jury
82:19-83:7	Rule 403 – Confusion of issues, misleading to jury
85:10-14	Rule 403 – Confusion of issues, misleading to jury
87:22-88:12	Rule 403 – Confusion of issues, misleading to jury
88:13-18	Rule 403 – Confusion of issues, misleading to jury
88:19-89:20	Rule 403 – Confusion of issues, misleading to jury
89:21-90:2	Rule 403 – Confusion of issues, misleading to jury
90:3-5	Rule 403 – Confusion of issues, misleading to jury
90:6-10	Rule 403 – Confusion of issues, misleading to jury
90:11-13	Rule 403 – Confusion of issues, misleading to jury

90:14-91:2	Rule 403 – Confusion of issues, misleading to jury
91:3-10	Rule 403 – Confusion of issues, misleading to jury
91:11-12	Rule 403 – Confusion of issues, misleading to jury
91:13-92:2	Rule 403 – Confusion of issues, misleading to jury
94:2-8	Rule 403 – Confusion of issues, misleading to jury
94:9-15	Rule 403 – Confusion of issues, misleading to jury
99:19-100:3	Objection to form - argumentative
100:24-101:2	Rule 401; Rule 403; objection to form - vague and ambiguous
101:3-4	Rule 401; Rule 403; vague and ambiguous
110:25-111:4	Objection to form - asked and answered
111:8-16	Objection to form - asked and answered, argumentative
111:17-112:13	Objection to form - asked and answered, argumentative
113:7-12	Objection to form - asked and answered
113:13-20	Objection to form - asked and answered
114:21-115:2	Objection to form - asked and answered (p. 112)
115:3-9	Objection to form - asked and answered
124:16-125:1	Rule 106; objection to form - vague and ambiguous
132:6-11	Rule 802 – Hearsay
133:9-20	Rule 401 – Relevance; Rule 403 – Confusion of issues; Rule 602 – Foundation; Rule 802 – Hearsay
133:21-24	Rule 401 – Relevance; Rule 403 – Confusion of issues; Rule 602 – Foundation; Rule 802 – Hearsay
133:25-134:2	Rule 401 – Relevance; Rule 403 – Confusion of issues; Rule 602 – Foundation; Rule 802 – Hearsay
141:21-24	Rule 802 – Hearsay; Rule 602 – Foundation
144:2-8	Rule 802 – Hearsay
144:13-23	Rule 602 – Foundation; objection to form - assumes facts not in evidence
144:24-145:1	Rule 602 – Foundation
145:17-21	Rule 403 – Confuses issues, misleading to jury
146:17-20	Rule 802 – Hearsay
146:21-25	Objection to form - assumes facts not in evidence; Rule 602 – Foundation
155:22-25	Rule 403 – Confusion of issues; misleading to jury
156:1-6	Rule 403 – Confusion of issues, misleading to jury; Rule 802 – Hearsay
166:18-21	Objection to form: argumentative
166:22-167:13	Objection to form: argumentative
168:11-19	Objection to form – vague and ambiguous
187:23-188:7	Objection to form – vague and ambiguous; calls for speculation

JOHN BLAKE – OBJECTIONS TO DESIGNATIONS

- 91:16-21 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)
- 92:3-5 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)
- 92:8-10 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)
- 92:12-14 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)
- 92:17 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)
- 92:20 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)
- 92:23-93:1 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)
- 93:4-5 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)
- 93:7-8 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)
- 93:11-14 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)
- 93:19-22 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)

- 94:2-4 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)
- 94:7-8 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)
- 94:11-12 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)
- 94:15-16 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)
- 94:19-20 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)
- 94:23-95:1 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)
- 95:4-8 Rule 611(c), leading; lacks foundation; vague; unintelligible; Rule 701, witness not qualified (see P. 17, l. 22 through P. 18, l. 5 and P. 95, ll. 16-21 where witness said he was a “nutritionist by training” and was not qualified to answer questions such as this one.)
- 100:9-13 Rule 611(c), leading; and no foundation. Rule 602, not within witness’s knowledge
- 109:13-110:3, Rule 402-Relevance; no foundation. Rule 602, witness lacks personal knowledge. Rule 701, opinion testimony, witness not qualified to give
- 110:6-7

BARRY BOLTON – OBJECTIONS TO DESIGNATIONS

Date of Deposition 08/05/2008

174:6-8	Rule 402-Relevance, lacks probative value, lacks foundation
175:19-20	Rule 402-Relevance, lacks probative value, lacks foundation
176:10-11	Rule 402-Relevance, lacks probative value, lacks foundation
176:23-25, 177-1	Rule 402-Relevance, lacks probative value, lacks foundation
178:1-3	Rule 402-Relevance, lacks probative value, lacks foundation
178:6-7	Rule 402-Relevance, lacks probative value, lacks foundation
179:25, 180:1-2	Rule 402-Relevance, lacks probative value, lacks foundation
180:4-5	Rule 402-Relevance, lacks probative value, lacks foundation

BARRY BOLTON – OBJECTIONS TO DESIGNATIONS

Date of Deposition 10/16/2008

286:16-22

Rule 402-Relevance, no probative value, lacks foundation; Rule
802-hearsay

DARREN BROWN – OBJECTIONS TO DESIGNATIONS

49:2-7 Form – compound

50:21-25 Form – compound, incomprehensible/confusing

51:1-6 Form – compound, incomprehensible/confusing

61:25 Form – vague, incomprehensible

62:1-4 Form – vague, incomprehensible

81:25 Form – assumes facts not in evidence; calls for speculation

82:1-3 Form – assumes facts not in evidence; calls for speculation

82:11-14 Form – assumes facts not in evidence; vague (e.g., “that big nursery”)

85:10-13 Form – assumes facts not in evidence; calls for speculation; Rule 402

87:3-7 Form – assumes facts not in evidence; calls for speculation; Rule 402

88:10-14 Form – assumes facts not in evidence; calls for speculation; Rule 402

88:22-25 Form – calls for speculation; Rule 402; Rule 602

89:20-23 Rule 402

93:16-21 Form – argumentative; vague (“full ... assessment”); Rule 402 or 403

99:21-25 Rule 402

100:1-13 Rule 402

115:21-25 Rule 402 or 403

116:1-9 Rule 402 or 403

128:2-6 Form -- vague, incomprehensible

131:14-17 Form – vague and ambiguous

156:4-21 Form – argumentative

175:11-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling; Rule 901 -- photos taken by Defendants, not clear if they accurately show any of the sample locations; Rule 402 or 403 – photos not relevant as none of them were taken when the samples were collected

176:1-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling; Rule 901 -- photos taken by Defendants, not clear if they accurately show any of the sample locations; Rule 402 or 403 – photos not relevant as none of them were taken when the samples were collected

177:1-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling; Rule 901 -- photos taken by Defendants, not clear if they accurately show any of the sample locations; Rule 402 or 403 – photos not relevant as none of them were taken when the samples were collected

178:1-14 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling; Rule 901 -- photos taken by Defendants, not clear if they accurately show any of the sample locations; Rule 402 or 403 – photos not relevant as none of them were taken when the samples were collected

179:2-19 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling; Rule 901 -- photos taken by Defendants, not clear if they accurately show any of the sample locations; Rule 402 or 403 – photos not relevant as none of them were taken when the samples were collected

180:14-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling; Rule 901 -- photos taken by Defendants, not clear if they

accurately show any of the sample locations; Rule 402 or 403 – photos not relevant as none of them were taken when the samples were collected

181:1-22 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling; Rule 901 -- photos taken by Defendants, not clear if they accurately show any of the sample locations; Rule 402 or 403 – photos not relevant as none of them were taken when the samples were collected

183:3-8 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling; Rule 901 -- photos taken by Defendants, not clear if they accurately show any of the sample locations; Rule 402 or 403 – photos not relevant as none of them were taken when the samples were collected

184:12-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling; Rule 901 -- photos taken by Defendants, not clear if they accurately show any of the sample locations; Rule 402 or 403 – photos not relevant as none of them were taken when the samples were collected

185:1-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling; Rule 901 -- photos taken by Defendants, not clear if they accurately show any of the sample locations; Rule 402 or 403 – photos not relevant as none of them were taken when the samples were collected

186:1-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling; Rule 901 -- photos taken by Defendants, not clear if they accurately show any of the sample locations; Rule 402 or 403 – photos not relevant as none of them were taken when the samples were collected

187:1-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling; Rule 901 -- photos taken by Defendants, not clear if they accurately show any of the sample locations; Rule 402 or 403 – photos not relevant as none of them were taken when the samples were collected

190:12-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling; Rule 901 -- photos taken by Defendants, not clear if they accurately show any of the sample locations; Rule 402 or 403 – photos not relevant as none of them were taken when the samples were collected

191:1-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling; Rule 901 -- photos taken by Defendants, not clear if they accurately show any of the sample locations; Rule 402 or 403 – photos not relevant as none of them were taken when the samples were collected

192:1-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling; Rule 901 -- photos taken by Defendants, not clear if they accurately show any of the sample locations; Rule 402 or 403 – photos not relevant as none of them were taken when the samples were collected

193:1-5 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling; Rule 901 -- photos taken by Defendants, not clear if they accurately show any of the sample locations; Rule 402 or 403 – photos not relevant as none of them were taken when the samples were collected

221:12-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling

222:1-13 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling

224:4-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling

225:1-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling

226:1-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling

227:1-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling

228:1-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling

229:1-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling

230:1-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling

231:1-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling

232:1-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling

233:1-25 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling

234:1-3 Rule 602 – Brown has never seen any of these photos and was not present during edge-of-field sampling

David Chapman Objections to Defendants' Deposition Designations

20:12-23	401 relevance
24:2-17	401 relevance
28:1- 19	403 confusion of the issues, misleading to jury
32:24-34:8	403 confusion of the issues, misleading to jury; need to add corrections from correction sheet for p. 33.
40:11 – 40:21	403 confusion of the issues, misleading to jury
41:5- 42:6	403 confusion of the issues, misleading to jury
42:25 – 43:4	403 confusion of the issues, misleading to jury
44:13 – 44:21	403 confusion of the issues, misleading to jury
44:25 – 45:4	403 confusion of the issues, misleading to jury
46:21 – 47:13	403 confusion of the issues, misleading to jury
53:13 – 19	403 confusion of the issues, misleading to jury, calls for speculation
58:24- 60:5	403 confusion of the issues, misleading to jury
62:3 – 63:10	403 confusion of the issues, misleading to jury
63:14- 66:9	403 confusion of the issues, misleading to jury, need to include correction to p. 64.
66:17 – 66:23	403 confusion of the issues, misleading to jury
67: 4 – 67:23	403 confusion of the issues, misleading to jury
80:15 – 81:9	403 confusion of the issues, misleading to jury
82: 8 – 83:13 -	403 confusion of the issues, misleading to jury
89:19 – 92:3	403 confusion of the issues, misleading to jury
95:12 – 96:1	403 confusion of the issues, misleading to jury
97:13 – 99:19	403 confusion of the issues, misleading to jury
106: 17 – 107:17	403 confusion of the issues, misleading to jury
134:11 – 17	403 confusion of the issues, misleading to jury, calls for speculation, ambiguous or unintelligible, vague
141: 17 – 142: 20	403 confusion of the issues, misleading to jury, compound question, argumentative, mischaracterizes previous testimony
146:7 – 147: 6	403 confusion of the issues, misleading to jury, compound question, argumentative, calls for speculation
147: 7 – 148:5	403 confusion of the issues, misleading to jury
148: 6 – 19	403 confusion of the issues, misleading to jury, asked and answered, argumentative
148: 20 – 150: 15	403 confusion of the issues, misleading to jury, compound question, ambiguous or unintelligible, calls for speculation, argumentative.
150: 16 – 22	403 confusion of the issues, misleading to jury, misstates previous testimony
191: 3 – 15	403 confusion of the issues, misleading to jury
191:16 – 21	403 confusion of the issues, misleading to jury, mischaracterizes previous testimony, compound question
198: 9 – 13	403 confusion of the issues, misleading to jury, assumes facts not in dispute or not in evidence

198:14 – 20	403 confusion of the issues, misleading to jury, asked and answered, assumes facts in dispute or not in evidence, argumentative.
209:7 – 12	403 confusion of the issues, misleading to jury, assumes facts in dispute or not in evidence
209:18 – 210:5	403 confusion of the issues, misleading to jury, asked and answered, assumes facts in dispute or not in evidence
220:17 – 221:5	403 confusion of the issues, misleading to jury, calls for speculation
226:9 – 229:8	403 confusion of the issues, misleading to jury, 401 relevance
230:15 – 231:25	403 confusion of the issues, misleading to jury
232:10 – 237:11	403 confusion of the issues, misleading to jury
240:18 – 241:11	403 confusion of the issues, misleading to jury, asked and answered, assumes facts in dispute or not in evidence
244:6 – 11	403 confusion of the issues, misleading to jury, vague and ambiguous
244:15 – 23	403 confusion of the issues, misleading to jury, assumes facts in dispute or not in evidence, calls for speculation
252:22 – 253:12	403 confusion of the issues, misleading to jury, assumes facts in dispute or not in evidence

DOUGLAS CONNOR - OBJECTIONS TO DESIGNATIONS

28:7-14 Rule 403 Confusion of issues; Rule 602 Foundation; Rule 701 Opinion of lay witness without specialized knowledge

32:4-23 Lines 4, 9, 11 13, 19; Rule 401, 403 Relevance

34:19-25 Rule 401, 403 Relevance

35:1-21 Line 1, 4, 10; Rule 401, 403 Relevance

37:12-25 Line 12 – Rule 401 Relevance – no question pending

38:11-39:1 Line 11, 20; Rule 401, 403 Relevance

42:21-22 Rule 401 Relevance – No response designated

43:19-21 Move to strike, not responsive & no question designated

46:17 Line 17; Rule 401, 403 Relevance

52:16-21 Rule 401, 430 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge; Calls for speculation

53:19-22 Rule 403 Relevance, confusion of issues due to limited knowledge of witness; Rule 602 Lack of knowledge, Foundation

54:9-23 Assumes facts not in evidence, vague

55:2-12 Object to form; Vague, Mischaracterized previous testimony

56:2-10 Rule 403 confusion of issues; Rule 602 Lack of Foundation

59:10-25 Lines 10 & 13; Rule 403 relevance, confusion of issues and misleading, no foundation that suit can be filed for alleged violation

61:13-62:1 Line 13, 24 – Rule 401, 403 Relevance; Rule 602 Lack of Knowledge; Rule 701 Opinion of lay witness regarding what is safety investigation, Rule 802 Hearsay where no foundation laid

62:2-5 Line 2 – Rule 401 & 403 Relevance – Confusion of issues, misleading

62:6-10 Line 6 – Rule 403 Relevance – Confusion of issues, misleading

62:11-14 Line 11 – Rule 401, 403, Relevance, Misleading, Rule 602 Foundation, Rule 701 Opinion of law witness without specialized knowledge

64:11-14 Object as to form, as to use of term “Disinfection Byproduct Rule” vague, ambiguous, assumes facts there is such a “Rule”

67:4-7 Objection as to form, vague, ambiguous, Assumes facts that he would know for all time – not just his “tenure”

67:19-68:2 Line 19, 25; Rule 401 Relevance

68:13-18 Line 13; Rule 401 Relevance

70:18-21 Object to form assumes facts as to the “ever” knowledge of this witness

70:22-24 Line 22 – Rule 403 Relevance, confusion and misleading of the issues

71:3-6 Rule 403 Relevance, confusion and misleading of the issues

72:13-25 Line 13, 24 ; Rule 401, 403 relevance, confusion of issues and misleading

Dennis Cooke, PhD – Objections to Designations – Vol. I

51:21 &23 – Rule 403 – Ambiguous
82:6-11 – Rules 401, 402 and 403 – Relevance; Rule 601 General Rule of Competency
113:13-114:2 – Rules 401, 402 and 403 – Relevance
114:21-23 – Rules 401, 402 and 403 – Relevance
117:8-118:15 – Rule 601 – General Rule of Competency; Rule 602 Lack of personal knowledge
128:5-19 – Rule 601 – General Rule of Competency; Rule 602 Lack of personal knowledge
140:15-144:8 – Rule 601 – General Rule of Competency; Rule 602 Lack of personal knowledge
146:5-22 – Rule 401 and 402 – Relevance
147:24-149:10 – Rule 401 and 402 – Relevance
179:25-181:1 - Rule 601 – General Rule of Competency; Rule 602 Lack of personal knowledge
245:11 -247:14 - Rule 601 – General Rule of Competency; Rule 602 Lack of personal knowledge
255:13-22 - Rule 601 – General Rule of Competency; Rule 602 Lack of personal knowledge;
Rule 403 Relevance
294:19-295:9 - Rule 601 – General Rule of Competency; Rule 602 Lack of personal knowledge

Dennis Cooke, PhD – Objections to Designations – Vol. II

338:21-25 – Rule 601 – General Rule of Competency; Rule 602 Lack of personal knowledge

339:2-4, 13-14, 16-17, 19-22 - Rule 601 – General Rule of Competency; Rule 602 Lack of personal knowledge

340:2,4 - Rule 601 – General Rule of Competency; Rule 602 Lack of personal knowledge

340:6-9, 13-15, 16-21 - Rule 601 – General Rule of Competency; Rule 602 Lack of personal knowledge

366:3-6, 11-12 – Rules 401, 402 and 403 – Relevancy

368:6-10 – Rules 401, 402 and 403 – Relevancy; Rule 601 – General Rule of Competency; Rule 602 Lack of personal knowledge

371:9-12, 14-19, 24 - Rule 601 – General Rule of Competency; Rule 602 Lack of personal knowledge

442:21-25 – Rule 403 – Relevancy; Rule 602 Lack of personal knowledge

443:4-7, 10-11 - Rule 403 – Relevancy; Rule 602 Lack of personal knowledge

468:10-13, 15-17 - Rule 601 – General Rule of Competency; Rule 602 Lack of personal knowledge

469:8-12, 14-16, 18-20 Rule 601 – General Rule of Competency; Rule 602 Lack of personal knowledge

492:1-3,5-8 – Rule 403 – Relevancy; Rule 601 – General Rule of Competency; Rule 602 Lack of personal knowledge

509:1-3, 6-7 - Rule 601 – General Rule of Competency; Rule 602 Lack of personal knowledge

JON CRAIG – OBJECTIONS TO DESIGNATIONS

16:16-18 Rule 403

24:23 Calls for a legal conclusion

29:7-8 Rule 602

33:1-5 Rule 602 -- misstates previous testimony

62:1-8 Rule 602 -- witness is speculating

62:9-13 Rule 602 -- witness is speculating

62:24-25 Assumes facts not in evidence

63:1-3 Assumes facts not in evidence

83:8-11 Rule 602; Rule 901

84:9-25 Object to this entire line of questioning as it involves an exhibit which Mr. Craig has never seen (Rules 602 and 901); also object as to relevancy (Rule 402); object on hearsay grounds with respect to the statements of Ms. Jayroe and Mr. Coleman

85:1-11 Object to this entire line of questioning as it involves an exhibit which Mr. Craig has never seen (Rules 602 and 901); also object as to relevancy (Rule 402); object on hearsay grounds with respect to the statements of Ms. Jayroe and Mr. Coleman

89:6-11 Calls for speculation; Rule 402; Rule 602 (have not established that Mr. Craig has personal knowledge.

92:14-25 Object to the entire line of questioning about sources of nutrients as there is no foundation that Mr. Craig has any personal knowledge as to sources of nutrients in the IRW; also object as these questions call for speculation.

94:24-25 Rule 602 (no foundation laid that Mr. Craig has any personal knowledge as to P settling in sediments); calls for speculation.

95:1-7 Rule 602 (no foundation laid that Mr. Craig has any personal knowledge as to P settling in sediments); calls for speculation.

95:17-25 Rule 602 (no foundation laid that Mr. Craig has any personal knowledge as to P settling in sediments); calls for speculation.

96:1-11 Rule 602; testimony establishes that Mr. Craig lacks personal knowledge; or basis to give opinion testimony (Rule 701)

100:11-15 Leading, calls for speculation; assumes facts not in evidence; lacks foundation (Rule 602)

100:16-20 Leading, calls for speculation; assumes facts not in evidence; lacks foundation (Rule 602)

100:25 Rule 602 – no foundation

101:1-3 Rule 602 – no foundation. [101:4-12 provides additional support]

101:24-25 Rule 602 – no foundation for any basis of this knowledge; Rule 402 – without evidence of quantification, no relevance.

102:1-6 Rule 602 – no foundation for any basis of this knowledge; Rule 402 – without evidence of quantification, no relevance.

103:23-25 Rule 602 – no foundation for any basis of knowledge; Rule 702 – no foundation for any opinion testimony; calls for speculation

104:1-8 Rule 602 – no foundation for any basis of knowledge; Rule 702 – no foundation for any opinion testimony; calls for speculation

108:8-21 Rule 402 -- This entire line of questioning is irrelevant; that is, whether Mr. Craig knows why the AG did or did not take certain actions in this litigation is immaterial; also calls for speculation as to AG's motives.

- 109:5-19 Rule 402 -- This entire line of questioning is irrelevant; that is, whether Mr. Craig knows why the AG did or did not take certain actions in this litigation is immaterial; also calls for speculation as to AG's motives.
- 109:20-25 Relevance (Rule 402); Rule 403; not material whether Mr. Craig was "surprised" – as Mr. Craig explains, he is not familiar with CERCLA
- 110:1-17 Relevance (Rule 402); Rule 403; not material whether Mr. Craig was "surprised" – as Mr. Craig explains, he is not familiar with CERCLA. [110:18-25 provides additional support]
- 112:3-21 Object to this entire line of questioning on relevancy grounds or 403 grounds as DEQ does not regulate land application of poultry waste.
- 113:1-5 Object to this entire line of questioning on relevancy grounds or 403 grounds as DEQ does not regulate land application of poultry waste.
- 113:11-15 Assumes a fact not in evidence; Rule 402 (relevance)
- 113:16-20 Rule 602 (no foundation for any basis of knowledge); Rule 701 (no foundation for any basis for opinion)
- 113:24-25 Rule 602 (no foundation for any basis of knowledge); Rule 701 (no foundation for any basis for opinion)
- 114:1-7 Rule 602 (no foundation for any basis of knowledge); Rule 701 (no foundation for any basis for opinion)
- 115:8-13 Rule 402 or Rule 403 (DEQ does not regulate the land application of poultry waste, so Mr. Craig would have no reason to know)
- 116:4-9 Assumes facts not in evidence; asked and answered; Rule 402 or 403.
- 126:14-25 Rule 402 or 403 – with no evidence of quantification, any evidence regarding Watts is immaterial.
- 127:1-8 Rule 402 or 403 – with no evidence of quantification, any evidence regarding Watts is immaterial. [127:9-24 provides additional support]
- 129:13-25 Object to this entire line of questioning about "gravel mining" on relevancy grounds (Rule 402 or 403) – gravel mining is not probative with respect to any of the issues in this case.
- 130:1-25 Object to this entire line of questioning about "gravel mining" on relevancy grounds (Rule 402 or 403) – gravel mining is not probative with respect to any of the issues in this case; plus, there is no evidence which quantifies the alleged environmental impact of gravel mining to show that it is anything beyond a *de minimis* source.
- 131:1-25 Object to this entire line of questioning about "gravel mining" on relevancy grounds (Rule 402 or 403) – gravel mining is not probative with respect to any of the issues in this case; plus, there is no evidence which quantifies the alleged environmental impact of gravel mining to show that it is anything beyond a *de minimis* source.
- 132:1-2 Object to this entire line of questioning about "gravel mining" on relevancy grounds (Rule 402 or 403) – gravel mining is not probative with respect to any of the issues in this case; plus, there is no evidence which quantifies the alleged environmental impact of gravel mining to show that it is anything beyond a *de minimis* source.
- 142:1-22 Object to entire line of questioning about Southwest City, Missouri, as wholly irrelevant (Rule 402 or Rule 403); specifically object to question and testimony as

154:6-10 to Simmons being a “good partner” as irrelevant and improper character evidence
(Rule 404)
Rule 402

CRUTCHER – OBJECTIONS TO DESIGNATIONS

38:5-25 Rule 602 (no foundation as to factual knowledge); Rule 701 (no foundation for opinion testimony); witness is speculating: “I would think so ...”

39:18-20 Relevance (Rule 402 or 403); Rule 602 (no foundation for factual knowledge); Rule 701 (no basis established for opinion)

56:12-18 Form – argumentative [56:15-18 provides additional support]

59:6-24 Form (compound question); calls for opinion testimony without foundation of basis for opinion / inadequate basis for opinion / improper solicitation of opinion from nonretained expert (Rule 701); Rule 1006 (summary where it is unclear what the supporting evidence is) [59:23-24 provides additional support]

60:2-25 Form (compound question); calls for opinion testimony without foundation of basis for opinion / inadequate basis for opinion / improper solicitation of opinion from nonretained expert (Rule 701); Rule 1006 (summary where it is unclear what the supporting evidence is) [60:22 provides additional support]

61:1-9 Form (compound question); calls for opinion testimony without foundation of basis for opinion / inadequate basis for opinion / improper solicitation of opinion from nonretained expert (Rule 701); Rule 1006 (summary where it is unclear what the supporting evidence is)

61:23-25 Form (compound question); calls for opinion testimony without foundation of basis for opinion / inadequate basis for opinion / improper solicitation of opinion from nonretained expert (Rule 701);

62:1-17 Form (compound question); calls for opinion testimony without foundation of basis for opinion / inadequate basis for opinion / improper solicitation of opinion from nonretained expert (Rule 701) [62:12 provides additional support]

73:1-12 Rule 402 (relevance) [73:6-8 provides additional support]

123:25 Rule 402 (condition of other waterways -- outside the IRW -- is irrelevant)

124:1-14 Rule 402 (condition of other waterways -- outside the IRW -- is irrelevant)

Mark Derichsweiler – Objections to Designations

70:18-23 – Rule 401 Relevance; Calls for a Legal Conclusion

91:5-15 – Rule 403 Confusion of the issues and misleading to the jury; Calls for a legal conclusion

92:17-93:6 – Rule 403 Confusion of the issues and misleading to the jury; Calls for a legal conclusion

100:18-25 – Rule 403 Confusion of the issues and misleading to the jury; Calls for a legal conclusion

107:21-108-9 – Rule 401 Relevance, Rule 403 Confusion of the issues and misleading to the jury

133:24-134:5 - Rule 403 Confusion of the issues and misleading to the jury; Vague and ambiguous

156:15-21 – Mischaracterizes previous testimony; ambiguous and unintelligible.

181:8-12 – Rule 401 Relevance; Calls for a legal conclusion

213:17-25 – Rule 401 Relevance; Confusion of the issues and misleading to the jury

218:9-12 – Rule 403 Confusion of the issues, misleading the jury; Mischaracterizes previous testimony; Assumes facts in dispute or not in evidence; Vague

229:24-230:3 – Rule 403 Confusion of the issues, misleading the jury; Vague and Ambiguous

242:3-7 – Rule 401 Relevance; Rule 403 Confusion of the issues and misleading to the jury

243:8-12 – Rule 403 Confusion of the issues and misleading to the jury

260:12-22 – Rule 402 Confusion of the issues and misleading to the jury; Mischaracterizes previous testimony; Ambiguous

265:12-266:1 – Rule 401 Relevance; Rule 403 Unfair Prejudice; Rule 503 Attorney-Client Privilege; Rule 802 Hearsay

266:21-267:2 – Rule 401 Relevance; Rule 403 Unfair Prejudice; Rule 503 Attorney-Client Privilege; Rule 802 Hearsay

267:5-11 – Rule 401 Relevance; Rule 403 Unfair Prejudice; Rule 503 Attorney-Client Privilege; Rule 802 Hearsay

268:9-17 - Rule 401 Relevance; Rule 403 Unfair Prejudice; Rule 503 Attorney-Client Privilege; Rule 802 Hearsay

270:16-23 – Rule 401 Relevance; Rule 403 Unfair Prejudice; Rule 503 Attorney-Client Privilege; Rule 802 Hearsay

275:8-277:4 – Rule 401 Relevance, Rule 403 Confusion of the issues and misleading to the jury; Calls for a Legal Conclusion; Mischaracterizes previous testimony

278:7-14 – Outside the scope of the 30(b)(6) Notice; Rule 602 Lack of personal knowledge

278:17-279:8 – Rule 401 Relevance; Vague and ambiguous; Rule 403 Confusion of the issues and misleading to the jury; Mischaracterizes previous testimony

Mark Derichweiler – Objections to Designations

62:14-17 – Rule 403 – Confusion of the Issues and Misleading Jury, Vague and Ambiguous

66:21-67:2 Rule 403 – Confusion of the Issues and Misleading Jury, Vague and Ambiguous

69:8-23 Rule 901 - Authentication; Rule 401 Relevance

70:2-24 Rule 901 - Authentication; Rule 401 Relevance; Rule 602 Lack of personal knowledge

71:5-20 Rule 901 - Authentication; Rule 401 Relevance; Rule 602 Lack of personal knowledge

77:5-10 Rule 403 - Confusion of the issues or misleading jury; Vague and Ambiguous

103:16-25 - Rule 401 Relevance

104: 1-105:19 – Rule 401 Relevance; Rule 602 Lack of personal knowledge; Calls for a legal conclusion; Rule 901 Authentication, Outside the scope of the 30(b)(6) Notice

106:7-21 – Rule 401 Relevance; Rule 602 Lack of personal knowledge; Calls for a legal conclusion and speculation; Rule 901 Authentication, Outside the scope of the 30(b)(6) Notice

109:5-14 – Rule 401 Relevance; Mischaracterizes Exhibit

109:23-110:24 – Rule 401 Relevance

111:13-20 – Rule 401 Relevance

112:5-113:12 – Rule 401 Relevance; Outside the scope of the 30(b)(6) Notice

113:24-114:11 - Outside the scope of the 30(b)(6) Notice

115:9-12 – Rule 401 Relevance; Outside the scope of the 30(b)(6) Notice

116:2-14 – Rule 401 Relevance; Outside the scope of the 30(b)(6) Notice

123:8-124:9 – Rule 401 Relevance; Outside the scope of the 30(b)(6) Notice

126:7-15: Rule 401 – Rule 401 Relevance; Outside the scope of the 30(b)(6) Notice; Calls for speculation

128:20-129:11 – Rule 401 Relevance; Outside the scope of the 30(b)(6) Notice

130:8-15 – Rule 401 Relevance

131:7- 133:25 – Rule 401 Relevance; Outside the scope of the 30(b)(6) Notice

134:16-136:4 - Rule 401 Relevance; Outside the scope of the 30(b)(6) Notice

145:20-148:17 - Rule 401 Relevance; Outside the scope of the 30(b)(6) Notice; Rule 602 Lack of personal knowledge

149:19-150:15 – Rule 401 Relevance; Outside the scope of the 30(b)(6) Notice; Rule 602 Lack of personal knowledge; Calls for speculation

150:24-153:2 – Rule 401 Relevance; Outside the scope of the 30(b)(6) Notice; Rule 602 Lack of personal knowledge

153:4 – Rule 401 Relevance

157:18-158:4 - Rule 401 Relevance; Outside the scope of the 30(b)(6) Notice

161:18-163:20 – Rule 401 Relevance

164:22-165:23 – Rule 401 Relevance

166:2-167:11- Rule 401 Relevance

168:16-169:22 – Rule 401 Relevance

169:24-171:23 – Rule 401 Relevance, Outside the scope of the 30(b)(6) Notice; Rule 602 Lack of personal knowledge; Rule 901 Lack of Foundation

172:8-175:2 - Rule 401 Relevance, Outside the scope of the 30(b)(6) Notice

180:14-181:9 – Rule 401 Relevance

182:7-183:2 – Rule 401 Relevance, Outside the scope of the 30(b)(6) Notice

183:4-185:7 – Rule 401 Relevance; Outside the scope of the 30(b)(6) Notice; Rule 602 Lack of personal knowledge; Rule 901 Lack of Foundation

185:26-187:14 – Rule 401 Relevance; Outside the scope of the 30(b)(6) Notice; Rule 602 Lack of personal knowledge; Rule 901 Lack of Foundation

189:14-190:3 – Rule 401 Relevance; Outside the scope of the 30(b)(6) Notice

192:25-193:18 – Rule 401 Relevance; Outside the scope of the 30(b)(6) Notice

SANCHO DICKINSON – AUGUST 7, 2008

Objections

27:8-28:22 – Relevance - FRE 401-403
29:6-16 – Relevance – FRE 401-403
32:15-34:17 – Beyond the scope of the 30(b)(6) notice; Relevance – FRE 401-403
38:1-24 – Relevance – FRE 401-403
41:19-21 – Mischaracterizes testimony/evidence; Calls for legal conclusion
43:12-24 – Beyond the scope of the 30(b)(6) notice; Relevance – FRE 401-403
49:24-50:3 – Relevance – FRE 401-403
52:17-53:15 – Relevance – FRE 401-403; Lack of foundation
61:16-62:11 – Lack of foundation
62:12-17 – Relevance – FRE 401-403
63:1-5 – Lack of foundation
63:6-64:19 – Relevance – FRE 401-403
64:21-66:20 – Beyond the scope of the 30(b)(6) notice; Relevance – FRE 401-403
71:4-19 – Beyond the scope of the 30(b)(6) notice
72:7-12 – Beyond the scope of the 30(b)(6) notice
116:1-17 – Relevance – FRE 401-403; Assumes facts; Hypothetical
116:18-117:12 – Beyond the scope of the 30(b)(6) notice
128:6-22 – Relevance – FRE 401-403

ED FITE - OBJECTIONS TO DESIGNATIONS

5:8-11	Line 8, 10; Rule; 401, 403 Relevance
33:6-11	Rule 401, Relevance, Rule 602 Lack of knowledge, Foundation
35:11-36:13	Rule 401, 403 Relevance
45:13-19	Rule 401, 403 Relevance
45:20-25	Rule 401, 403 Relevance
52:4-25	Lines 4, 16, 20 & 23 Rule 401, 403 Relevance
53:13-17	Rule 401, 403 Relevance
55:18-24	Rule 401 Relevance
56:11-15	Lines 11, 13, 20, 25; Rule 401, 403 Relevance
57:3-25	Lines 3, 9, 11, 13, 15, 18, 20, 24; Rule 401, 403 Relevance
58:2-12	Lines 2, 5, 8; Rule 401, 403 Relevance
61:3-7	Lines 3 & 6; Rule 602 Foundation
68:19-21	Line 19; Rule 401, 403 Relevance
69:3-70:3	Lines 3, 11, 16, 24; Rule 401, 403 Relevance
70:4-25	Lines 4, 6, 11, 15, 22 & 24; Rule 401, 403 Relevance
71:1-8	Lines 1, 4, 7; Rule 401, 403 Relevance
76:7-20	Lines 7, 15, 19; Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge
80:25-81:2	Rule 401, 403 Relevance; Rule 701 Lay opinion without specialized knowledge
81:3-25	Lines 3, 9, 19; Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge – Object to form: Assumes facts not in evidence, calls for speculation, vague
82:1-7	Lines 1, 4; Rule 401, 403 Relevance; Rule 602, Foundation; Rule 701 Lay opinion without specialized knowledge – Object to Form: Assumes facts not in evidence, calls for speculation; vague
83:10-17	Lines 10, 12, 15; Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge
83:22-84:1	Line 22; Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge – Object to form: Assumes facts not in evidence, Calls for speculation, Vague
84:2-85:1	Line 4, 11, 24; Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge – Object to form: Assumes facts not in evidence, Calls for speculation, Vague
85:2-86:2	Line 4, 12, 23; Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge – Object to form: Assumes facts not in evidence, calls for speculation, vague
86:3-87:2	Lines 5, 12, 18; Line 4, 12, 23; Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge – Object to form: Assumes facts not in evidence, calls for speculation, vague
87:3-88:1	Lines 3, 6, 8, 21; Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge

88:9-89:4	Lines 9, 23; Rule 401, 403 Relevance; Rule 602 Foundation (line 23); Rule 701 Lay opinion without specialized knowledge
89:5-11	Object to form “poultry industry” and “regulated” – vague, overly broad, ambiguous
89:12-25	Line 12, 22 Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge – Object to form: Assumes facts not in evidence, calls for speculation, vague, ignores knowledge to be acquired
90:2-6	Line 2; Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge – Object to form: Assumes facts not in evidence, calls for speculation, vague; ignores knowledge to be acquired
91:5-12	Lines 5, 7; Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge
101:7-19	Lines 7, 17; Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge, calls for speculation
110:22-111:7	Rule 401 Relevance; - Object to form as to “satisfied”, assumes facts not I in evidence; vague
113:21-114:14	Line 22; Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge; Calls for speculation
114:17-115:1	Line 17, 22; Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge, calls for speculation – Object to form: Assumes facts, speculation, vague, ambiguous
115:2-3	Line 2, Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge, calls for speculation
117:21-118:6	Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge; calls for speculation
129:1-2	Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge, calls for speculation
132:8-17	Line 8, 14; Rule 401, 403 Relevance; Line 8, Rule 602, Lack of Knowledge, foundation
137:7-21	Line 7, 12, 16, 19; Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge; Calls for speculation
138:14-22	Line 14, 17, 20; Rule 401, 403 Relevance
139:6-140:2	Line 6, 11, 15, 17, 20, 23, 25; Rule 401, 403 Relevance
140:3-22	Line 3, 5, 9, 12, 15, 22; Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge, calls for speculation; Object to Form-Assumes facts, Speculation, Vague, Ambiguous, Argumentative
144:5-22	Line 5, 8; Rule 401, 403 Relevance as to “surprise” and “concern”
153:7-17	Line 7, 12; Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge, calls for speculation
164:8-12	Line 8; Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge; Calls for speculation
169:8-170:9	Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge; Calls for speculation

170:10-13

Line 10 - Rule 401, 403 Relevance; Rule 602 Foundation; Rule 701 Lay opinion without specialized knowledge, Calls for speculation

ALAN FORD – OBJECTIONS TO DESIGNATIONS

9:15, 19, 21	Rules 401, 402 Relevance
18:21, 25	Rules 401, 402, 403 Relevance
19:5, 11, 14, 17	Rules 401, 402, 403 Relevance
21:22	Rules 401, 403 Relevance
22:1, 12, 16, 20, 24	Rules 401, 403 Relevance
23:11, 14, 17, 20, 23	Rule 401 Relevance
24:3	Rule 401 Relevance
24:19, 22, 24	Rules 401, 402, 403 Relevance
25:6, 9, 13, 15, 18, 20, 23	Rules 401, 402, 403 Relevance
26:4, 7, 9, 13, 15, 20, 22	Rules 401, 402, 403 Relevance
27:2, 4, 10, 16, 19, 24	Rules 401, 402, 403 Relevance
28:3, 8, 18, 20, 23	Rules 401, 402, 403 Relevance
29:5, 8, 11	Rules 401, 402, 403 Relevance
29:18, 23, 25	Rules 401, 402 Relevance
30:20	Rules 401, 402 Relevance
31:4, 15, 25	Rules 401, 402 Relevance
33:20	Rules 401, 402, 403 Relevance
34:1	Rules 401, 402, 403 Relevance
40:3, 6, 10, 13, 17, 20, 24	Rules 401, 402, 403 Relevance
41:2, 4, 6, 11, 13, 15, 18, 21, 25	Rules 401, 402, 403 Relevance
42:3, 5, 8, 12, 16, 18, 23, 25	Rules 401, 402, 403 Relevance
43:9, 12, 15, 19, 22, 24	Rules 401, 402, 403 Relevance
44:2, 5, 8, 15, 18, 21, 23	Rules 401, 402, 403 Relevance
45:3, 5, 7, 9, 12, 14, 16, 18, 23	Rules 401, 402, 403 Relevance
46:1, 3, 6, 9, 11, 13, 17, 20, 22, 25	Rules 401, 402, 403 Relevance
47:5, 8, 10, 16, 19, 23, 25	Rules 401, 402, 403 Relevance
48:2, 6, 9, 12, 15	Rules 401, 402, 403 Relevance
51:11, 17, 19, 21, 23	Rules 401, 402, 403 Relevance
52:1, 3	Rules 401, 402, 403 Relevance
55:2, 8, 12, 16, 21, 23, 25	Rules 401, 402, 403 Relevance
57:20, 25	Rules 401, 402, 403 Relevance
58:2, 4, 6, 9, 12, 15, 18, 22	Rules 401, 402, 403 Relevance
59:1, 3, 6, 9, 11, 13, 16, 18, 22	Rules 401, 402, 403 Relevance
60:4, 6, 8, 10, 13	Rules 401, 402, 403 Relevance
66:11, 13, 16, 20, 24	Rules 401, 402, 403 Relevance
67:4, 7, 14, 17, 20, 23	Rules 401, 402, 403 Relevance
68:1, 6, 8, 11, 17, 22	Rules 401, 402, 403 Relevance
69:1	Rules 401, 402, 403 Relevance
70:2, 4, 7, 9, 14, 16, 18, 20, 22	Rules 401, 402, 403 Relevance
71:2, 5, 8, 11, 13, 16, 18, 21, 24	Rules 401, 402, 403 Relevance
72:3, 6, 9, 12, 15, 19, 21, 24	Rules 401, 402, 403 Relevance
73:2, 4, 10, 13, 16, 18, 20, 22	Rules 401, 402, 403 Relevance
79:8, 13, 17, 21	Rules 401, 402, 403 Relevance
80:1, 4, 6, 11, 13, 17, 19, 21, 25	Rules 401, 402, 403 Relevance

81:5, 10, 13, 16, 20, 24	Rules 401, 402, 403 Relevance
82:1, 3, 7, 12, 15, 19, 24	Rules 401, 402, 403 Relevance
83:3, 7, 10, 13, 18, 22, 25	Rules 401, 402, 403 Relevance
84:3, 24	Rules 401, 402, 403 Relevance
85:5, 8, 11, 15, 18	Rules 401, 402, 403 Relevance
86:5	Rules 401, 402, 403 Relevance
94:2, 7, 10, 14, 16, 19, 21, 24	Rules 401, 402, 403 Relevance
95:2	Rules 401, 402, 403 Relevance
107:???	Rules 401, 402, 403 Relevance
109:23	Rules 401, 402, 403 Relevance
110:4, 7, 18, 20, 22	Rules 401, 402, 403 Relevance
112:7, 17, 21, 24	Rules 401, 402, 403 Relevance
113:2, 5, 8, 14, 18, 20, 23	Rules 401, 402, 403 Relevance
114:1, 3, 6, 8, 12, 16, 18, 21, 23	Rules 401, 402, 403 Relevance
115:2, 5, 8, 13, 17, 20, 22, 24	Rules 401, 402, 403 Relevance
116:1, 3, 6, 8, 12, 14, 17, 21	Rules 401, 402, 403 Relevance
117:1, 4, 7, 11, 14, 17, 19	Rules 401, 402, 403 Relevance
121:1, 4, 11	Rules 401, 402, 403 Relevance
123:14, 17, 20, 24	Rules 401, 402, 403 Relevance
124:1, 5, 9, 12, 14, 17, 20, 23	Rules 401, 402, 403 Relevance
125:1, 5, 8, 10, 12, 15	Rules 401, 402, 403 Relevance
127:9, 15, 19, 21, 25	Rules 401, 402, 403 Relevance
128:2, 8, 11, 13, 15, 18, 22, 25	Rules 401, 402, 403 Relevance
129:4, 9, 15, 19, 22, 25	Rules 401, 402, 403 Relevance
130:2, 5, 8, 11, 14, 16, 20, 22	Rules 401, 402, 403 Relevance
132:18, 24	Rules 401, 402, 403 Relevance
133:3, 6, 9, 11, 18, 20, 24	Rules 401, 402, 403 Relevance
134:6, 8, 10, 14, 16, 20, 24	Rules 401, 402, 403 Relevance
135:2, 5, 8, 11, 14, 18, 21	Rules 401, 402, 403 Relevance
136:1, 4, 7, 10, 14, 18, 21, 24	Rules 401, 402, 403 Relevance
137:2, 5	Rules 401, 402, 403 Relevance
138:20, 24	Rules 401, 402, 403 Relevance
139:2, 4, 8, 12, 15, 17, 21, 23	Rules 401, 402, 403 Relevance
140:4, 8, 11, 18, 21, 24	Rules 401, 402, 403 Relevance
141:2, 5, 8, 11, 13, 15, 17, 22	Rules 401, 402, 403 Relevance
142:1, 3, 6, 10, 12, 15, 17, 19, 22	Rules 401, 402, 403 Relevance
151:17, 20, 22	Rules 401, 402, 403 Relevance
152:2, 5, 14, 17, 20, 23	Rules 401, 402, 403 Relevance
153:2, 4, 6, 9, 13, 15, 18, 23	Rules 401, 402, 403 Relevance
154:1, 4, 9, 11, 13, 16, 18, 21, 24	Rules 401, 402, 403 Relevance
157:23	Rules 401, 402, 403 Relevance
158:1, 7, 11, 13, 16, 20, 23	Rules 401, 402, 403 Relevance
159:2, 8, 11, 15, 22, 25	Rules 401, 402, 403 Relevance
160:4, 7, 9, 11, 18, 22	Rules 401, 402, 403 Relevance
161:2, 5, 7, 13, 19, 22, 25	Rules 401, 402, 403 Relevance
162:9, 13, 16, 20, 24	Rules 401, 402, 403 Relevance

163:4	Rules 401, 402, 403 Relevance
165:7, 11, 13, 16, 24	Rules 401, 402, 403 Relevance
166:3, 14, 17	Rules 401, 402, 403 Relevance
170:16, 18, 22, 25	Rules 401, 402, 403 Relevance
171:6, 9, 12, 14, 21, 24	Rules 401, 402, 403 Relevance
172:2, 5, 7, 9, 11, 14, 16, 20, 23	Rules 401, 402, 403 Relevance
173:1, 5, 8, 11, 14, 18, 20	Rules 401, 402, 403 Relevance
174:2, 6, 9, 13, 16, 21, 24	Rules 401, 402, 403 Relevance
175:2, 4, 7, 12, 15, 18, 21, 23	Rules 401, 402, 403 Relevance
176:1, 4, 8, 15, 20, 25	Rules 401, 402, 403 Relevance
177:5, 25	Rules 401, 402, 403 Relevance
178:5, 10, 14, 16, 25	Rules 401, 402, 403 Relevance
179:3, 6, 9, 12, 14, 18, 25	Rules 401, 402, 403 Relevance
180:4, 9, 14, 16, 24	Rules 401, 402, 403 Relevance
181:1, 6, 24	Rules 401, 402, 403 Relevance
182:3, 7, 12, 16, 18, 20	Rules 401, 402, 403 Relevance
183:1, 4, 9, 12, 14, 17, 20	Rules 401, 402, 403 Relevance
184:1, 4, 7, 13, 16, 23	Rules 401, 402, 403 Relevance
185:1, 4	Rules 401, 402, 403 Relevance
188:4, 10, 12, 14	Rules 401, 402, 403 Relevance
189:4, 7, 11, 13, 17, 20, 23	Rules 401, 402, 403 Relevance
190:3, 5, 9, 12, 14, 17, 24	Rules 401, 402, 403 Relevance
191:2, 6, 10, 14, 17, 20, 24	Rules 401, 402, 403 Relevance
192:2, 6, 10, 13, 16, 18, 21, 25	Rules 401, 402, 403 Relevance
193:3, 9, 12, 16, 20, 22	Rules 401, 402, 403 Relevance
194:2, 4, 7, 9, 13	Rules 401, 402, 403 Relevance
195:7, 11, 15, 17, 20, 22	Rules 401, 402, 403 Relevance
196:2, 5, 8, 12, 14, 21	Rules 401, 402, 403 Relevance
202:24	Rules 401, 402, 403 Relevance
203:1, 3, 6, 21, 24	Rules 401, 402, 403 Relevance
204:4, 8, 12, 16, 23	Rules 401, 402, 403 Relevance
205:2, 5, 7, 10, 13, 17, 23	Rules 401, 402, 403 Relevance
206:5, 9, 13, 16, 19, 21	Rules 401, 402, 403 Relevance
207:1, 4, 8, 10, 17, 20, 23	Rules 401, 402, 403 Relevance
208:2, 8, 13, 18, 22	Rules 401, 402, 403 Relevance
209:1, 4, 7, 11, 14, 17, 20, 22, 25	Rules 401, 402, 403 Relevance
210:4, 7, 11, 15, 18, 22, 25	Rules 401, 402, 403 Relevance
211:5, 9, 12, 21	Rules 401, 402, 403 Relevance
212:2, 7, 10, 13, 16, 19, 21, 23	Rules 401, 402, 403 Relevance
213:16, 21, 24	Rules 401, 402, 403 Relevance, Rule 602 Lack of personal knowledge
214:4, 8, 15, 19, 21	Rules 401, 402, 403 Relevance, Rule 602 Lack of personal knowledge
215:2, 5, 9, 13, 16, 20, 24	Rules 401, 402, 403 Relevance, Rule 602 Lack of personal knowledge
216:7, 10, 14, 20, 24	Rules 401, 402, 403 Relevance,

217:4, 7, 12, 16, 20, 24	Rule 602 Lack of personal knowledge Rules 401, 402, 403 Relevance,
218:2, 9, 19, 21	Rule 602 Lack of personal knowledge Rules 401, 402, 403 Relevance,
219:1, 4, 13, 16, 22	Rule 602 Lack of personal knowledge Rules 401, 402, 403 Relevance,
220:2, 8, 12, 15, 19, 22	Rule 602 Lack of personal knowledge Rules 401, 402, 403 Relevance,
221:8, 16, 19, 24	Rule 602 Lack of personal knowledge Rules 401, 402, 403 Relevance,
222:5, 7, 17, 21, 23, 25	Rule 602 Lack of personal knowledge Rules 401, 402, 403 Relevance,
223:5, 9, 11, 13, 18, 24	Rule 602 Lack of personal knowledge Rules 401, 402, 403 Relevance,
224:6, 21	Rule 602 Lack of personal knowledge Rules 401, 402, 403 Relevance,
225:1, 4, 9, 16, 21, 24	Rule 602 Lack of personal knowledge Rules 401, 402, 403 Relevance,
226:5, 8, 10, 13, 22, 24	Rule 602 Lack of personal knowledge Rules 401, 402, 403 Relevance,
227:4, 6, 11, 14, 21, 24	Rule 602 Lack of personal knowledge Rules 401, 402, 403 Relevance,
228:2, 6, 8, 11, 15, 18	Rule 602 Lack of personal knowledge Rules 401, 402, 403 Relevance,
229:2, 5, 8, 12, 15, 22, 25	Rule 602 Lack of personal knowledge Rules 401, 402, 403 Relevance,
230:3, 6, 17, 19, 21, 23	Rule 602 Lack of personal knowledge Rules 401, 402, 403 Relevance,
231:1, 5, 9, 13	Rule 602 Lack of personal knowledge Rules 401, 402, 403 Relevance,
231:19, 24	Rule 602 Lack of personal knowledge Rules 401, 402, 403 Relevance
232:1, 7, 11, 13, 19, 22, 25	Rules 401, 402, 403 Relevance
233:7, 9, 14, 16, 18, 22	Rules 401, 402, 403 Relevance
234:6, 11, 14, 16, 25	Rules 401, 402, 403 Relevance
235:4, 8	Rules 401, 402, 403 Relevance
243:13, 17, 20, 22, 25	Rules 401, 402, 403 Relevance
244:4	Rules 401, 402, 403 Relevance

ALAN FORD – OBJECTIONS TO DESIGNATIONS

12:14, 20	Rules 401, 402, 403 Relevance
15:21-24	Rules 401, 402, 403 Relevance
16:1, 5, 9, 14, 16, 18, 25	Rules 401, 402, 403 Relevance
17:4, 10, 13, 18, 22, 25	Rules 401, 402, 403 Relevance
18:4, 7, 13, 17, 23	Rules 401, 402, 403 Relevance
19:1, 3, 6, 11, 15, 18, 23	Rules 401, 402, 403 Relevance
20:3, 5, 8, 17, 21, 24	Rules 401, 402, 403 Relevance
21:3, 7, 11, 14, 16, 23, 25	Rules 401, 402, 403 Relevance
22:4, 8, 11, 16, 19, 24	Rules 401, 402, 403 Relevance
23:2, 5, 9, 13, 17, 21, 24	Rules 401, 402, 403 Relevance
24:4, 7, 11, 13, 15, 19, 23	Rules 401, 402, 403 Relevance
25:3, 5, 7	Rules 401, 402, 403 Relevance
37:4, 11, 16, 20, 23	Rules 401, 402, 403 Relevance
38:1, 4, 7, 11, 16, 22	Rules 401, 402, 403 Relevance
39:1, 5, 14, 22, 25	Rules 401, 402, 403 Relevance
40:6, 21	Rules 401, 402, 403 Relevance
41:1, 11, 15, 20, 24	Rules 401, 402, 403 Relevance
42:1, 5, 8, 10, 12, 17, 19, 22	Rules 401, 402, 403 Relevance
43:2, 6, 9, 13, 16, 18	Rules 401, 402, 403 Relevance
44:2, 8, 12, 15, 18, 21, 25	Rules 401, 402, 403 Relevance
45:3, 8, 12, 15, 17	Rules 401, 402, 403 Relevance
51:21, 25	Rules 401, 402, 403 Relevance
52:4, 8, 16, 19, 23	Rules 401, 402, 403 Relevance
53:2, 5, 7, 12, 15	Rules 401, 402, 403 Relevance
60:7, 13, 15, 17, 21, 25	Rules 401, 402, 403 Relevance
61:4, 6, 8, 12, 15	Rules 401, 402, 403 Relevance
68:23	Rules 401, 402, 403 Relevance
74:19	Rules 401, 402, 403 Relevance
75:3, 8	Rules 401, 402, 403 Relevance
76:???	Rules 401, 402, 403 Relevance
77:7, 11, 15, 17, 20	Rules 401, 402, 403 Relevance
78:5, 8, 14, 25	Rules 401, 402, 403 Relevance
79:5, 10, 13, 15, 18, 20, 22	Rules 401, 402, 403 Relevance
81:15, 20, 23, 25	Rules 401, 402, 403 Relevance
82:4, 9	Rules 401, 402, 403 Relevance
84:9, 13, 17, 21	Rules 401, 402, 403 Relevance
85:1, 5, 7, 10, 16, 20, 22, 25	Rules 401, 402, 403 Relevance
86:2	Rules 401, 402, 403 Relevance
87:4, 9, 12, 15, 18, 21, 24	Rules 401, 402, 403 Relevance
88:1, 6, 10, 17	Rules 401, 402, 403 Relevance
91:11, 18, 23	Rules 401, 402, 403 Relevance
92:2, 9, 14, 18, 20, 23	Rules 401, 402, 403 Relevance
96:9, 12, 14, 17, 21	Rules 401, 402, 403 Relevance
97:3, 5, 8, 12, 18	Rules 401, 402, 403 Relevance

99:14, 19	Rules 401, 402, 403 Relevance
100:???	Rules 401, 402, 403 Relevance
103:10, 14 23	Rules 401, 402, 403 Relevance
104:1, 3, 5, 8, 13, 19, 24	Rules 401, 402, 403 Relevance
105:1, 3, 6, 9, 12, 15, 18, 23	Rules 401, 402, 403 Relevance
106:3, 6, 10, 14, 17, 19	Rules 401, 402, 403 Relevance
107:5, 7, 13	Rules 401, 402, 403 Relevance
109:2, 7, 11, 19, 22, 24	Rules 401, 402, 403 Relevance
110:3, 6, 8	Rules 401, 402, 403 Relevance
112:13, 17, 22	Rules 401, 402, 403 Relevance
113:3, 6, 8, 11, 14, 16, 23	Rules 401, 402, 403 Relevance
114:10, 13	Rules 401, 402, 403 Relevance
115:2, 6, 9, 14, 19, 21, 23	Rules 401, 402, 403 Relevance
117:5, 9, 12, 15	Rules 401, 402, 403 Relevance
118:3, 7, 13	Rules 401, 402, 403 Relevance
119:4, 9, 15, 17, 21	Rules 401, 402, 403 Relevance
120:1, 3, 7, 10, 13, 20, 23	Rules 401, 402, 403 Relevance
121:5, 9, 15, 18, 20, 24	Rules 401, 402, 403 Relevance
122:2, 7, 12, 17, 24	Rules 401, 402, 403 Relevance
123:21	Rules 401, 402, 403 Relevance
124:1, 5, 10, 14, 17, 20, 23	Rules 401, 402, 403 Relevance
125:1, 5, 8, 11, 18, 20, 22, 25	Rules 401, 402, 403 Relevance
126:3, 6, 11, 15, 19, 23	Rules 401, 402, 403 Relevance
127:1, 4, 7, 9, 13, 23	Rules 401, 402, 403 Relevance
128:1, 4, 6, 9, 11, 17, 19, 22, 24	Rules 401, 402, 403 Relevance
129:3, 6, 13, 16, 19, 24	Rules 401, 402, 403 Relevance
130:2	Rules 401, 402, 403 Relevance
134:10, 16, 20, 22	Rules 401, 402, 403 Relevance
135:1, 10, 12, 14, 18, 23	Rules 401, 402, 403 Relevance
136:3, 7, 16	Rules 401, 402, 403 Relevance
137:21, 25	Rules 401, 402, 403 Relevance
138:8, 12, 20, 22, 24	Rules 401, 402, 403 Relevance
140:8, 16, 18, 23	Rules 401, 402, 403 Relevance
141:3, 7, 18, 21	Rules 401, 402, 403 Relevance
142:2, 4, 8, 12, 16, 18, 20, 23	Rules 401, 402, 403 Relevance
143:1, 4, 7, 17, 21, 23, 25	Rules 401, 402, 403 Relevance
144:4, 8, 12, 15	Rules 401, 402, 403 Relevance
145:1, 4, 8	Rules 401, 402, 403 Relevance
151:9, 13, 15, 18, 21	Rules 401, 402, 403 Relevance
152:1, 4, 10, 13, 15	Rules 401, 402, 403 Relevance

WILLIAM MICHAEL HANEMANN – OBJECTIONS TO DESIGNATIONS

18:16-22	Rule 802 – Hearsay; objection to form - mischaracterizes prior testimony
18:23-19:8	Rule 802 – Hearsay; objection to form - mischaracterizes prior testimony
21:6-9	Rule 401 – Relevance; Rule 403 – Confusion of issues or misleading to jury
22:17-19	Rule 401 – Relevance; Rule 403
23:11-19	Rule 401 – Relevance; Rule 403 – Confusion of issues or misleading to jury
23:20-22	Rule 401 – Relevance; Rule 403 – Confusion of issues or misleading to jury
23:23-24:1	Rule 401 – Relevance; Rule 403 – Confusion of issues or misleading to jury
24:2-12	Rule 401 – Relevance; Rule 403 – Confusion of issues or misleading to jury
24:13-14	Rule 401 – Relevance; Rule 403 – Confusion of issues or misleading to jury
40:25-41:7	Objection to form – compound, calls for narrative
41:8-42:5	Same objections as 40:25
65:8-19	Objection to form - mischaracterizes prior testimony
81:16-25	Objection to form - vague, ambiguous, unintelligible
86:10-14	Objection to first sentence on line 10: Rule 401 – Relevance; Rule 403; ambiguous
137:6-138:12	Rule 403 – Confusion of issues or misleading to jury; calls for legal conclusion
204:10-14	Objection to form - argumentative
214:12-22	Objection to form - asked and answered
215:12-216:4	Objection to form - vague and ambiguous
221:2-11	Lines 2-7: Objection to form - argumentative
241:18-25; 242:1-2	Speculation, assumes facts not in evidence

MICHAEL HARRELL - OBJECTIONS TO DESIGNATIONS

84:2-5	Rule 402 and 403 relevance
97:7-15	beyond the scope of examination, Rule 402 and 403 Relevance

ROBERT HUBER – OBJECTIONS TO DESIGNATIONS

49:20-24	Rule 611(c) Leading
59:13-15	Rule 402 and 403 Relevance
61:19-20	Rule 402 and 403 Relevance
62:22-24	Rule 611(a) Calls for a narrative
71:2-3	Rule 611(a) Mischaracterizes previous testimony and Rule 402 and 403 Relevance
73:9-14	Rule 611(a) Argumentative and Rule 402 and 403 Relevance
73:16-18	Rule 611(a) Argumentative, and Mischaracterizes previous testimony
78:25-79:3	Rule 602 Calls for speculation
80:19-22	Rule 402 and 403 Relevance
86:4-10	Rule 402 and 403 Relevance
86:19-22	Rule 402 and 403 Relevance
102:6-7	Rule 402 and 403 Relevance
102:9-11	Rule 402 and 403 Relevance
102:13-16	Rule 402 and 403 Relevance and Rule 602 Calls for speculation
119:18-20	Rule 402 and 403 Relevance and Rule 602 Calls for speculation
120:14-15	Rule 611(a) Asked and Answered
120:21	Rule 611(a) Asked and Answered
122:19-25	Rule 611(a) Compound and Unintelligible
135:16-18	Rule 611(a) Mischaracterizes previous testimony and Rule 402 and 403 Relevance
143:18-19	Rule 602 Calls for speculation
173:14-17	Rule 602 Calls for speculation and Rule 402 and 403 Relevance
185:14-18	Rule 402 and 403 Relevance
197:11-13	Rule 611(a) Asked and Answered
209:5-8	Rule 402 and 403 Relevance
224:19-22	Rule 402 and 403 Relevance and Rule 611(c) Leading
228:24-229:1	Rule 402 and 403 Relevance
237:7-16	Rule 611(a) Mischaracterizes evidence
239:5-7	Rule 611(a) Mischaracterizes previous testimony

Barbara Kanninen Deposition Designation Objections

28:9-19	401 relevance
29:1-7	401 relevance, 403 prejudicial
29:15 - 17	401 relevance, 403 prejudicial
29:25 - 30:6	401 relevance, 403 prejudicial
34:2 - 34:8	401 relevance, 403 prejudicial
48:15 - 25	403 confusion of the issues, misleading, mischaracterizes previous testimony
62:10-20	403 confusion of the issues, misleading to jury; vague and ambiguous question
63:15 – 64:9	403 confusion of the issues, misleading to jury; mischaracterizes previous testimony, ambiguous or unintelligible, asked and answered
64:19 - 65:3	403 confusion of the issues, misleading to jury; calls for speculation
69:10-19	403 confusion of the issues, misleading to jury; mischaracterizes previous testimony.
107:2-13	401 relevance, 403 confusion of the issues, misleading to jury
164:19 - 165:1	401 relevance, 403 confusion of the issue, misleading to jury
165:10 - 166:19	403 confusion of the issues, misleading to jury
173:20-25	403 confusion of the issues, misleading to jury
175:7-24	403 confusion of the issues, misleading to jury

GREG KLOXIN – OCTOBER 10, 2008

Objections

136:24-138:21 – Beyond the scope of the 30(b)(6) notice

139:1-16 – Relevance – FRE 401-403

204:4-205:19 – Relevance – FRE 401-403

262:10-18 – Beyond the scope of the 30(b)(6) notice

JON KROSNICK, PhD – OBJECTIONS TO DESIGNATIONS

17:14-19	Rule 401 – Relevance; Rule 403 – Confusion of the issues or misleading the jury
17:20-21	Rule 401 – Relevance; Rule 403 – Confusion of the issues or misleading the jury
17:22-23	Rule 401 – Relevance; Rule 403 – Confusion of the issues or misleading the jury
23:11-13	Rule 403 – Confusion of the issues or misleading the jury
23:23-25	Rule 403 – Confusion of the issues or misleading the jury
27:23-28:6	Lines 28:4-5 – Rule 401; Rule 403
59:25-60:1	Rule 401 – Relevance; Rule 403 – Unfair prejudice, misleading to jury
60:9-11	Rule 401 – Relevance; Rule 403 – Unfair prejudice, misleading to jury, cumulative to P. 59, L. 25-P. 60, L.1
81:16-19	Rule 401 – Relevance; Rule 403 – Unfair prejudice, misleading to jury
82:10-13	Rule 401 – Relevance
82:17-20	Rule 401 – Relevance; Rule 403 – Unfair prejudice, misleading to jury
94:10-15	Objection to form – vague, argumentative
175:10-19	Rule 602 – Foundation; objection to form – calls for speculation
193:8-13	Rule 701 – Foundation

ANTHONY LAWRENCE – OCTOBER 9, 2007

Objections

24:15-27:11 – Non-responsive; narrative; Relevance – FRE 401-403
29:23-25 – Lack of foundation – FRE 602; Relevance – FRE 401-403
32:16-34:1 – Non-responsive; narrative
43:12-13 – Lack of foundation – FRE 602; Leading
46:14-18 – Misstates testimony/evidence
74:21-76:21 – Relevance – FRE 401-403
77:3-78:12 – Non-responsive; narrative; Relevance – FRE 401-403
78:13-79:4 – Leading; Non-responsive; narrative; Relevance – FRE 401-403
89:14-24 – Lack of foundation – FRE 602; Non-responsive; Calls for speculation; Relevance – FRE 401-403
90:16-92:5 – Non-responsive; Narrative; Relevance – FRE 401-403
92:6-11 – Leading; Lack of foundation – FRE 602; Calls for legal conclusion
94:18-95:7 – Calls for legal conclusion; Opinion testimony from lay witness – FRE 701
99:3-10 – Relevance – FRE 401-403; Lack of personal knowledge – FRE 602
99:11-13 – Calls for legal conclusion; Assumes facts; Lack of foundation – FRE 602; Leading
100:4-6 – Calls for legal conclusion; misstates testimony; Lack of foundation – FRE 602
107:3-22 – Lack of foundation – FRE 602; Relevance – FRE 401-403; Assumes facts
130:13-17 – Lack of foundation – FRE 602; Calls for legal conclusion
138:7-9 – Leading
138:25-139:6 – Lack of foundation – FRE 602; Leading; Calls for speculation
140:22-141:3 – Calls for legal conclusion
144:7-9 – Leading
144:10-13 – Leading
151:14-18 – Leading; Asked and answered
154:3-5 – Leading; Relevance – FRE 401-403; Assumes facts
159:13-160:5 – Relevance – FRE 401-403; Lack of foundation – FRE 602
160:6-8 – Leading; Relevance – FRE 401-403; Lack of foundation – FRE 602
160:16-23 – Leading; Relevance – FRE 401-403
164:5-10 – Calls for legal conclusion; Assumes facts; Misstates evidence; Asked and answered
166:5-167:7 – Relevance – FRE 401-403
173:23-174:3 – Leading; Calls for legal conclusion; Misstates evidence
246:20-25 – Leading; Calls for legal conclusion; Misstates evidence; Assumes facts
247:1-6 – Leading; Calls for legal conclusion
250:22-25 – Leading; Calls for legal conclusion
251:5-16 – Lack of foundation – FRE 602; Assumes facts; Speculation
251:17-21 – Leading; Lack of foundation – FRE 602; Speculation
251:22-25 – Leading; Lack of foundation – FRE 602; Speculation

TAMZEN MacBETH – OBJECTIONS TO DESIGNATIONS

77:13-14 This side-commentary of counsel should be stricken.

86:21-25 Rule 402; Dr. MacBeth was not involved in data interpretation, so her knowledge regarding “fate and transport” is irrelevant.

87:1-3 Rule 402; Dr. MacBeth was not involved in data interpretation, so her knowledge regarding “fate and transport” is irrelevant.

94:21-24 Form (calls for speculation)

117:2-8 Form (compound)

117:17-25 Form (calls for speculation); Rule 701 (no foundation for opinion testimony on the topic)

118:1-22 Form (calls for speculation); Rule 701 (no foundation for opinion testimony on the topic)

157:11-20 Form (compound; argumentative: “magically, from my perspective”; vague: “stuff,” “straight line”)

158:21-25 Rule 602 -- Dr. MacBeth lacks personal knowledge and actually testifies that she is speculating (see page 159)

159:1-11 Rule 602 -- Dr. MacBeth lacks personal knowledge and actually testifies that she is speculating

168:2-20 Rule 602 – Witness is clearly speculating as to what Ms. Weidhaas meant by “ammunition to the defense;” Rule 402 or 403; Ms. Weidhaas’ statement is irrelevant or its probative value is substantially outweighed by danger of prejudice to State, jury confusion.

171:8-21 Form (calls for speculation about the intent of another)

171:22-25 Form (calls for speculation about the intent of another)

197:24-25 Rule 602 (no personal knowledge)

198:1-12 Rule 602 (no personal knowledge)

203:20-25 Rule 1006 (questions involve an exhibit created by Defendants which witness has never seen before, accuracy has not been verified; Rule 1002; Rule 602)

204:1-3 Rule 1006 (questions involve an exhibit created by Defendants which witness has never seen before, accuracy has not been verified; Rule 1002; Rule 602)

210:1-10 Form (calls for speculation); Rule 602 (no personal knowledge)

253:15-20 Rule 602

255:10-18 Form (speculation); Rule 602

MICHAEL MADDEN - OBJECTIONS TO DESIGNATIONS

37:10	Rules 402, 403 Relevancy
40:10-11, 23-24	Rules 402, 403 Relevancy
69:15-16	Rules 402, 403 Relevancy
118:7-19	Calls for a legal conclusion

KRISTINA MAREK
OBJECTIONS TO DEFENDANTS' DESIGNATIONS

9:16-23; 10:1 – 14:6	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
14:20-23	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
15:9 - 18:6	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
18:21 – 23:9	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
25:9-13; 19-25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
26:1 – 32:14	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
32:24 – 36:2	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
54:22 – 58:7	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
59:25 – 60:23	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
66:14 – 67:6	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
68:6 – 70:4	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
71:5 – 74:1	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
	F.R.E. 602 – Lack of Personal Knowledge
74:9 – 87:12	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
	F.R.E. 602 – Lack of Personal Knowledge
87:16 – 90:24	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
	F.R.E. 602 – Lack of Personal Knowledge
91:12 – 97:15	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
	F.R.E. 602 – Lack of Personal Knowledge
98:8 – 104:12	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
105:4 – 106:24	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
109:20 – 111:20	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
113:2 – 123:11	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
129:6 – 134:13	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
135:3-17	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
136:5-10	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
139:2 – 146:10	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
150:6 – 152:4	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
152:8 – 158:15	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
163:7 – 168:23	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
169:7-9; 169:14-18; and 170:1-16	F.R.E. 401, 402, 403 – General relevance; confusion of the issues; F.R.E. 602 – Lack of Personal Knowledge; F.R.E. 701 – Opinion of Lay Witness
170:17 – 171:13	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
171:24 – 173:7	F.R.E. 401, 402, 403 – General relevance; confusion of the issues; F.R.E. 602 – Lack of Personal Knowledge; F.R.E. 701 – Opinion of Lay Witness
177:8-25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
181:3-15	F.R.E. 602 – Lack of Personal Knowledge
184:23 – 187:11	F.R.E. 401, 402, 403 – General relevance; confusion of the issues

EDWARD MOREY, PhD – OBJECTIONS TO DESIGNATIONS

25:22-26:1	Rule 403 – Confusion of the issues or misleading to jury
26:2-7	Rule 403 – Confusion of the issues or misleading to jury
27:2-5	Rule 403 – Confusion of the issues or misleading to jury
28:4-9	Rule 403 – Confusion of the issues or misleading to jury; objection to form – vague re: “characterize”
28:10-11	Rule 403 – Confusion of the issues or misleading to jury
28:12-13	Rule 403 – Confusion of the issues or misleading to jury
28:14-18	Rule 403 – Confusion of the issues or misleading to jury; objection to form – vague re: “characterize”
28:19-21	Rule 403 – Confusion of the issues or misleading to jury
28:22-24	Rule 403 – Confusion of the issues or misleading to jury
28:25-29:2	Rule 403 – Confusion of the issues or misleading to jury
30:18-25	Rule 403 – Confusion of the issues or misleading to jury
31:1-18	Rule 403 – Confusion of the issues or misleading to jury
33:1-6	Rule 403 – Confusion of the issues or misleading to jury
33:7-10	Rule 403 – Confusion of the issues or misleading to jury
33:11-14	Rule 403 – Confusion of the issues or misleading to jury
33:15-18	Rule 403 – Confusion of the issues or misleading to jury
33:19-23	Rule 403 – Confusion of the issues or misleading to jury
34:12-20	Rule 403 – Confusion of the issues or misleading to jury
34:21-25	Rule 403 – Confusion of the issues or misleading to jury
35:1-2	Rule 403 – Confusion of the issues or misleading to jury
35:3-4	Rule 403 – Confusion of the issues or misleading to jury
35:5-6	Rule 403 – Confusion of the issues or misleading to jury
37:14-22	Rule 403 – Confusion of the issues or misleading to jury
37:23-38:1	Rule 403 – Confusion of the issues or misleading to jury
38:2-8	Rule 403 – Confusion of the issues or misleading to jury
47:16-20	Rule 403 – Confusion of the issues or misleading to jury
47:21-48:5	Rule 403 – Confusion of the issues or misleading to jury
49:5-10	Rule 403 – Confusion of the issues or misleading to jury
49:11-12	Rule 403 – Confusion of the issues or misleading to jury
49:13-18	Rule 403 – Confusion of the issues or misleading to jury
100:15-19	Rule 403 – misleading, mischaracterizes previous testimony; objection to form: assumes facts not in evidence
103:16-23	Rule 401 – Relevance; Rule 403 – Confusion of the issues or misleading to jury
103:24-104:2	Rule 401 – Relevance; Rule 403 – Confusion of the issues or misleading to jury
106:17-23	Objection to form – vague (“modify the facts”)
112:20-24	Rule 401 – Relevance; Rule 403 – Confusion of the issues or misleading to jury
112:20-24	Rule 401 – Relevance; Rule 403 – Confusion of the issues or misleading to jury; objection to form – assumes facts not in evidence

112:25-113:1	Rule 401 – Relevance; Rule 403 – Confusion of the issues or misleading to jury
113:2-3	Rule 401 – Relevance; Rule 403 – Confusion of the issues or misleading to jury
113:4-5	Rule 401 – Relevance; Rule 403 – Confusion of the issues or misleading to jury
113:15-20	Objection to form – vague re: “it didn’t matter”
114:2-8	Objection – assumes facts not in evidence
117:2-12	Objection – vague and unintelligible re: “measuring the reduction in injury”
120:14-18	Rule 401 – Relevance

DANIEL JOSEPH PARRISH - OBJECTIONS TO DESIGNATIONS

10:15-24	Assumes facts, vague, compound
11:12-23	Assumes facts, vague, foundation, compound, speculation
116:23-117:10	Rule 401 & 403 Relevance, confusion misleading the jury
202:20-25	Rule 401, 403 Relevance
204:2-9	Rule 401 & 403 Relevance at lines 2, 10, 16 & 23
204:10-15	Rule 401 & 403 Relevance at lines 2, 10, 16 & 23
204:16-22	Rule 401 & 403 Relevance at lines 2, 10, 16 & 23
204:23-205:5	Rule 401 & 403 Relevance at lines 2, 10, 16 & 23
226:10-16	Rule 701 Opinion of lay witness – lack of foundation; Rule 602 Hearsay
226:17-23	Rule 701 Opinion of lay witness – lack of foundation; Rule 602 Hearsay
228:4-11	Rule 401 & 403 Relevance; Failure to establish predicate of foundation of knowledge
248:2-20	Line 2, 9; Rule 602 Lack of personal knowledge as to “anyone”
250:1-25	Line 1, 12, 18, 20; Rule 401, 403 Relevance; Foundation and Predicate
252:23-253:2	Rule 401 & 403 Relevance, Rule 602 Foundation, Rule 701 Lay opinion
253:14-18	Rule 401 & 403 Relevance; Rule 602 Foundation, Rule 701 Lay opinion

CARL PARROTT – OBJECTIONS TO DESIGNATIONS

40:6-8	Rule 602 Calls for speculation
55:17-19	Rule 611(a) Calls for narrative
62: 11-14	Rule 611(a) Calls for narrative
63:23-64:1	Assumes facts not in evidence
74:23-75:5	Rule 602 Calls for speculation
75:20-24	Rule 602 Calls for speculation
79:24-25	Rule 611(c) Leading, and Rule 402 and 403 Relevance
98:18-20	Rule 602 Calls for speculation
108:14-16	Rule 602 Calls for speculation and Rule 701 Witness is not an expert
112:11-13	Assumes facts not in evidence
112:15-17	Assumes facts not in evidence
116:21-23	Rule 602 Calls for speculation
118:11-125:14	Rule 1002 Best Evidence Rule
127:23-134:16	Rule 1002 Best Evidence Rule
145:24-146:2	Rule 402 and 403 Relevance, Rule 611(a) Asked and Answered, and Rule 701 Calls for a legal conclusion
153:4-5	Rule 402 and 403 Relevance
153:7	Rule 402 and 403 Relevance
158:20-24	Rule 611(c) Leading, and Rule 402 and 403 Relevance
166:14-168:8	Rule 1002 Best Evidence Rule
227:9-10	Rule 402 and 403 Relevance
244:15-16	Rule 701 Calls for an expert opinion

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6:5-7:14 – Rule 401 Relevance
21:1-22:16 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion
23:4-8 – Rule 401 Relevance, Rule 403 Misleading and Confusing; Calls for a legal conclusion
23:17-24:24 – Rule 401 Relevance, Rule 403 Misleading and Confusing; Calls for a legal conclusion
25:1-11 – Rule 401 Relevance, Rule 403 Misleading and Confusing; Calls for a legal conclusion
25:13-24 – Rule 401 Relevance, Rule 403 Misleading and Confusing; Calls for a legal conclusion
27:13-28:1 – Rule 401 Relevance, Rule 403 Misleading and Confusing; Calls for a legal conclusion
28:3-29:1, 13-17 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion
30:5-31:24 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion
32:8-33:22 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion
33:25-34:20 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion
36:18-23 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion
36:25-37:25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge
38:2-5, 8 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion
38:19-24 – Rule 602 Lack of personal knowledge
39:5-40:16, 20-22 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Calls for speculation
41:12-19, 21-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Calls for speculation; Assumes fact not in evidence
42:1-4, 7-13 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Calls for speculation
43:1 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Calls for speculation
43:21-45:8 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge
45:10-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge
58:8-59:1 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony
59:11-15, 17-20 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony
60:23-61:1, 3-6, 8-17 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Misrepresents previous testimony

61:25-62:3, 8 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Misrepresents previous testimony

62:15-63:4, 6-12, 14-21, 23-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion

64:7-10, 12-13 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness

64:16-65:1, 3-12, 14, 16-19 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness

66:2-6, 8-16, 18-23, 25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness

67:24-68:4, 6-24 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion

69:1-5, 7-10, 13-21, 23 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Calls for speculation

69:24-70:12, 14 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Calls for speculation

71:5-7, 9-10, 12-15, 17 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness

71:24-72:1, 3 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness

72:8-73:3, 5-12, 14-23 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness

74:1-5, 7-12, 14-19 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness; Calls for speculation

74:20-75:1-4, 6-10, 12-14, 16 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness

75:17-76:1-2, 4-13, 15-23 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness

76:25-78:9 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness; Calls for speculation

78:16-19, 21-25 - Rule 401 Relevance; Rule 403 Misleading and Confusing

79:1-9, 11-15, 17-19 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness, Calls for speculation

79:24-80:10, 12-18 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness

81:4-6, 8-9 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness; Calls for speculation

81:17-20, 22-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness; Calls for speculation

82:1-4, 8-11, 14-19 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness; Calls for speculation

85:12-15, 17-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness

86:1-2, 4 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness

86:25-87:4, 6-8, 10-13, 15-23, 25 – Rule 401 Relevance; Rule 403 Misleading and Confusing

88:1-5, 7-10, 12-14, 23-24 – Rule 401 Relevance; Rule 403 Misleading and Confusing

89:1-6, 18-20, 22-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness

90:2 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge

91:7-15, 17-19, 21-24 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion

92:1, 7-9, 11-14, 16, 25 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion

93:1-4, 6-13, 15-25 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge

94:2-5, 7-10, 12-17, 20-21 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness

95:1-5, 7-11, 13-23, 25 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness, Calls for speculation

96:1-7, 10-11 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Calls for speculation

98:21-99:25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness

100:1-6, 9 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness; Vague and Ambiguous; Assumes facts in dispute and not in evidence

101:1-2, 4-20 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 701 Opinion of lay witness

103:1-8, 10-15, 17-25 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness

104:9-12, 14-20, 22 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness; Assumes facts in dispute and not in evidence

104:23-105:2 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness; Assumes facts in dispute and not in evidence

105:7-12, 21-23, 25 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Assumes facts in dispute and not in evidence

106:2-7 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Assumes facts in dispute and not in evidence

106:12-16, 21-24 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Assumes facts in dispute and not in evidence
 106:25-107:1-2 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Assumes facts in dispute and not in evidence
 107:9-13 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion
 107:23-108:1, 3 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Calls for speculation
 111:25-112:1-2, 6-9, 12-16, 21-23 - Rule 401 Relevance; Rule 403 Misleading and Confusing
 113:2 – Rule 401 Relevance; Rule 403 Misleading and Confusing
 129:1-10, 12-24 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Calls for speculation; Rule 701 Opinion of lay witness; Assumes facts in dispute and not in evidence
 130:2-20, 22-25 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Calls for speculation; Rule 701 Opinion of lay witness; Assumes facts in dispute and not in evidence
 131:1-23, 25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Calls for speculation; Assumes facts in dispute and not in evidence
 132:1-6 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion
 136:11-137:5 – Rule 401 Relevance; Rule 701 Opinion of a lay witness
 137:18-21, 23-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of foundation; Lack of personal knowledge; Calls for speculation; Rule 701 Opinion of lay witness; Assumes facts not in evidence
 138:1-3, 5-12 – Rule 401 Relevance
 138:22-140:4 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge
 140:6-17 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge;
 141:1-6 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge;
 141:17-21, 23-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge
 142:1-2, 4-8, 11-12 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge

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21:1-22:16 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion

23:4-8 – Rule 401 Relevance, Rule 403 Misleading and Confusing; Calls for a legal conclusion

23:17-24:24 – Rule 401 Relevance, Rule 403 Misleading and Confusing; Calls for a legal conclusion

25:1-11 – Rule 401 Relevance, Rule 403 Misleading and Confusing; Calls for a legal conclusion

25:13-24 – Rule 401 Relevance, Rule 403 Misleading and Confusing; Calls for a legal conclusion

27:13-28:1 – Rule 401 Relevance, Rule 403 Misleading and Confusing; Calls for a legal conclusion

28:3-29:1, 13-17 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion

30:5-31:24 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion

32:8-33:22 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion

33:25-34:20 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion

36:18-23 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion

36:25-37:25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge

38:2-5, 8 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion

38:19-24 – Rule 602 Lack of personal knowledge

39:5-40:16, 20-22 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Calls for speculation

41:12-19, 21-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Calls for speculation; Assumes fact not in evidence

42:1-4, 7-13 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Calls for speculation

43:1 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Calls for speculation

43:2145:8 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge

45:10-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge

49:2-6, 8 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness

58:8-59:1 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony

59:11-15, 17-20 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony

60:23-61:1, 3-6, 8-17 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Misrepresents previous testimony

61:25-62:3, 8 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Misrepresents previous testimony

62:15-63:4, 6-12, 14-21, 23-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion

64:7-10, 12-13 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness

64:16-65:1, 3-12, 14, 16-19 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness

66:2-6, 8-16, 18-23, 25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness

67:24-68:4, 6-24 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion

69:1-5, 7-10, 13-21, 23 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Calls for speculation

69:24-70:12, 14 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Calls for speculation

71:5-7, 9-10, 12-15, 17 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness

71:24-72:1, 3 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness

72:8-73:3, 5-12, 14-23, 15 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness

74:1-5, 7-12, 14-19 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness; Calls for speculation

74:20-75:1-4, 6-10, 12-14, 16 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness

75:17-76:1-2, 4-13, 15-23 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness

76:25-78:9 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness; Calls for speculation

78:16-19, 21-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing

79:1-9, 11-15, 17-19 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness, Calls for speculation

79:24-80:10, 12-18 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness

81:4-6, 8-9 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness; Calls for speculation

81:17-20, 22-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness; Calls for speculation

82:1-4, 8-11, 14-19 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness; Calls for speculation

85:12-15, 17-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness

86:1-2, 4 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness

86:25-87:4, 6-8, 10-13, 15-23, 25 – Rule 401 Relevance; Rule 403 Misleading and Confusing

88:1-5, 7-10, 12-14, 23-24 – Rule 401 Relevance; Rule 403 Misleading and Confusing

89:1-6, 18-20, 22-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness

90:2 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge

91:7-15, 17-19, 21-24 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion

92:1, 7-9, 11-14, 16, 25 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion

93:1-4, 6-13, 15-25 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge

94:2-5, 7-10, 12-17, 20-21 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness

95:1-5, 7-11, 13-23, 25 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness, Calls for speculation

96:1-7, 10-11 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Calls for speculation

98:21-99:25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness

100:1-6, 9 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Misrepresents previous testimony; Rule 701 Opinion of lay witness; Vague and Ambiguous; Assumes facts in dispute and not in evidence

101:1-2, 4-20 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 701 Opinion of lay witness

103:1-8, 10-15, 17-25 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness

104:9-12, 14-20, 22 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness; Assumes facts in dispute and not in evidence

104:23-105:2 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Rule 701 Opinion of lay witness; Assumes facts in dispute and not in evidence

105:7-12, 21-23, 25 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Assumes facts in dispute and not in evidence

106:2-7 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Assumes facts in dispute and not in evidence
 106:12-16, 21-24 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Assumes facts in dispute and not in evidence
 106:25-107:1-2 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Assumes facts in dispute and not in evidence
 107:9-13 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion
 107:23-108:1, 3 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Calls for speculation
 111:25-112:1-2, 6-9, 12-16, 21-23 - Rule 401 Relevance; Rule 403 Misleading and Confusing
 113:2 – Rule 401 Relevance; Rule 403 Misleading and Confusing
 124:8-125:16, 18 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Vague and Ambiguous
 126:18-127:6 – Rule 401 Relevance; Rule 403 Misleading and Confusing
 127:13-128:19 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge; Calls for speculation; Rule 701 Opinion of lay witness; Assumes facts in dispute and not in evidence

 129:1-10, 12-24 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Calls for speculation; Rule 701 Opinion of lay witness; Assumes facts in dispute and not in evidence
 130:2-20, 22-25 - Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Calls for speculation; Rule 701 Opinion of lay witness; Assumes facts in dispute and not in evidence
 131:1-23, 25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of personal knowledge; Calls for speculation; Assumes facts in dispute and not in evidence
 132:1-6 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion
 132:16-20, 22-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion
 133:1 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion
 136:11-137:5 – Rule 401 Relevance; Rule 701 Opinion of a lay witness
 137:18-21, 23-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Rule 602 Lack of foundation; Lack of personal knowledge; Calls for speculation; Rule 701 Opinion of lay witness; Assumes facts not in evidence
 138:1-3, 5-12 – Rule 401 Relevance
 138:22-140:4 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge
 140:6-23 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge;
 141:1-6 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge;
 141:17-21, 23-25 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge
 142:1-2, 4-8, 11-12 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for a legal conclusion; Rule 602 Lack of personal knowledge

143:1-14, 16-17 – Rule 401 Relevance; Rule 403 Misleading and Confusing; Calls for speculation; Rule 701 Opinion of lay witness; Assumes facts in dispute and not in evidence

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84:13-17	Rule 402 and 403 Relevance
84:20-22	Rule 402 and 403 Relevance
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89:14-17	Rule 402 and 403 Relevance
89:19-20	Rule 402 and 403 Relevance
89:22	Rule 402 and 403 Relevance
89:25	Rule 402 and 403 Relevance
90:2-3	Rule 402 and 403 Relevance
90:5-8	Rule 402 and 403 Relevance
90:11-13	Rule 402 and 403 Relevance
90:15-21	Rule 402 and 403 Relevance
91:1-4	Rule 402 and 403 Relevance
91:6-8	Rule 402 and 403 Relevance
91:10-11	Rule 402 and 403 Relevance
91:13-16	Rule 402 and 403 Relevance
91:19-20	Rule 402 and 403 Relevance

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14:1, 3, 4, 7, 8, 10, 12-14, 16-18, 20, 23, 24	Rule 401, 402 Relevance
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17:19, 21, 23	Rule 401, 402 Relevance
18:9, 10, 12, 17-19, 21, 22, 25	Rule 401, 402 Relevance
19:1, 3, 6-9, 11, 14, 15, 19, 20, 22, 24, 25	Rule 401, 402 Relevance
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22:1, 2, 6, 7, 9, 10, 12, 13, 15, 16, 18, 21-23, 25	Rule 401, 402 Relevance
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32:2, 3, 5, 8, 9, 11, 13, 15, 18, 20, 21, 23	Rule 401, 402, 403 Relevance
33:1-3, 7, 8, 11-13, 16-18, 21-23	Rule 401, 402, 403 Relevance
34:1	Rule 401, 402, 403 Relevance
36:6-8, 12, 13, 15, 16, 19, 20, 22-24	Rule 401, 402, 403 Relevance
37:12-14, 16, 20-23	Rule 401, 402, 403 Relevance
38:1-3, 5, 6	Rule 401, 402, 403 Relevance
39:14-16, 18, 20, 23	Rule 401, 402, 403 Relevance
40:1, 3-5, 8, 9, 11, 12, 14-16, 18, 19, 21, 24, 25	Rule 401, 402, 403 Relevance
41:2, 3, 5, 6, 8, 9, 12, 13, 15, 16, 18, 23, 25	Rule 401, 402, 403 Relevance
42:5-8, 11, 12	Rule 401, 402, 403 Relevance
45:20-25	Rule 401, 402, 403 Relevance
46:5-8, 12-16, 22-25	Rule 401, 402, 403 Relevance
47:2, 3, 5, 6, 8-11	Rule 401, 402, 403 Relevance
47:13, 15-21, 24, 25	Rule 401, 402, 403 Relevance Rule 602
	Lack of personal knowledge
48:1-7, 9-11, 13, 14, 16, 17, 19, 20, 22-25	Rule 401, 402, 403 Relevance Rule 602
	Lack of personal knowledge
49:2-5, 9, 10, 13-22, 24, 25	Rule 401, 402, 403 Relevance Rule 602
	Lack of personal knowledge
50:1, 4, 9, 10	Rule 401, 402, 403 Relevance Rule 602
	Lack of personal knowledge
53:19-22	Rule 401, 402, 403 Relevance
54:8, 9, 13-16, 20, 21, 25	Rule 401, 402, 403 Relevance
55:1, 3, 4, 6-8, 10-12, 14, 16-19, 23-25	Rule 401, 402, 403 Relevance
56:1-4, 8-11, 13, 14, 22-24	Rule 401, 402, 403 Relevance

57:1, 2, 4, 9-12, 14-16, 18, 24, 25
58:3-5, 7-9, 16, 18, 23, 24
59:3-5, 9, 11, 13-15, 17, 18, 22, 25
60:1-3
61:3, 4, 6, 7, 9, 12, 13, 15-17, 21, 22
63:16, 17, 19
64:9, 10, 12, 13, 16, 18, 19, 21-23
65:1, 6, 8, 9, 13, 14
71:2-4, 11, 12, 16, 17, 19-21, 23
72:1, 2, 4, 5, 7, 9, 10, 12-20, 22, 23, 25
73:3, 4, 6-9, 12-14
74:13-16, 18-20, 23-25
75:2, 4-8, 10-13, 15-17, 19, 20
76:3, 7-10, 12, 13, 15-20
77:1, 3-5, 7, 8, 11, 14, 17, 1, 20, 23, 24
84:5-9

88:2-4, 6-8, 10, 11, 16-18

90:4-9, 11, 12

97:17, 18

98:3, 6, 7, 10, 11, 17, 18, 20, 21

Rule 401, 402, 403 Relevance
Rule 401, 402, 403 Relevance
Rule 401, 402, 403 Relevance
Rule 401, 402, 403 Relevance
Rule 401, 402, 403 Relevance
Rule 401, 402, 403 Relevance
Rule 401, 402, 403 Relevance
Rule 401, 402, 403 Relevance
Rule 401, 402, 403 Relevance
Rule 401, 402, 403 Relevance
Rule 401, 402, 403 Relevance
Rule 401, 402, 403 Relevance
Rule 401, 402, 403 Relevance Rule 602
Lack of personal knowledge Rule 701
Opinion of lay witness
Rule 401, 402, 403 Relevance Rule 602
Lack of personal knowledge
Rule 401, 402, 403 Relevance
Rule 401, 402, 403 Relevance
Rule 401, 402, 403 Relevance

DOUG SCHOOLEY – AUGUST 12, 2008

Objections

53:14-54:19 – Lacks foundation – FRE 602; Relevance – FRE 401-403
55:6-15 – Lacks foundation – FRE 602; Relevance – FRE 401-403
58:1-6 – Relevance – FRE 401-403
96:19-99:24 – Relevance – FRE 401-403
103:8-105:15 – Relevance – FRE 401-403
107:21-108:3 – Relevance – FRE 401-403
111:2-19 – Relevance – FRE 401-403
112:23-113:11 – Relevance – FRE 401-403; Calls for speculation
115:6-13 – Relevance – FRE 401-403
115:21-117:23 – Relevance – FRE 401-403
119:2-25 – Relevance – FRE 401-403
122:17-25 – Relevance – FRE 401-403
124:4-127:7 – Relevance – FRE 401-403
128:24-129:2 – Relevance – FRE 401-403
129:25-130:6 – Relevance – FRE 401-403
130:15-131:13 – Relevance – FRE 401-403
133:23-138:1 – Relevance – FRE 401-403
139:10-140:5 – Relevance – FRE 401-403
140:15-147:24 – Relevance – FRE 401-403
150:2-11 – Relevance – FRE 401-403
151:9-18 – Relevance – FRE 401-403
152:13-154:18 – Relevance – FRE 401-403
155:5-158:2 – Relevance – FRE 401-403
158:12-159:20 – Relevance – FRE 401-403
161:3-163:20 – Relevance – FRE 401-403

DUANE SMITH – OBJECTIONS TO DESIGNATIONS

72:1-8	Form – compound Rule 402 – Mr. Smith’s knowledge of AG’s litigation strategy is immaterial; bacteria contamination in other watersheds is also immaterial.
73:16-22	Form -- Vague (term “better”); Rule 602 -- No foundation for personal knowledge; Rule 402 -- Not relevant to compare scenic rivers (like IRW water bodies) to non-scenic
85:15-25	Rule 402 or 403 -- Other “potential” contributors are irrelevant without any evidence of quantification
86:1-25	Rule 402 or 403 -- Other “potential” contributors are irrelevant without any evidence of quantification
87:1-25	Rule 402 or 403 -- Other “potential” contributors are irrelevant without any evidence of quantification
88:1-25	Rule 402 or 403 -- Other “potential” contributors are irrelevant without any evidence of quantification; additionally, witness is speculating “I assume ...”
89:1-11	Rule 402 or 403 -- Other “potential” contributors are irrelevant without any evidence of quantification
95:25	Form: Vague (“make sense”); calls for speculation
96:1-9	Form: Vague (“make sense”); calls for speculation
96:13-19	Form: Vague (“scoured”); calls for speculation
96:20-25	Rule 402 or 403 – No quantification of alleged contribution of “resuspended” sediment
97:1-5	Rule 402 or 403 – No quantification of alleged contribution of “resuspended” sediment
97:6-18	Rule 602 (no personal knowledge)
98:3-7	Form: Vague (“position on litter application”)
98:8-18	Rule 402 or 403 – Because Board has no enforcement role with respect to litter application, its “position” is immaterial
100:20-23	Form: Vague (“law-abiding people”); Rule 402 and 403 -- wholly irrelevant; Rule 602 – No foundation for personal knowledge
100:24-25	Form: Calls for speculation (“any sense”); Rule 402 or 403; Rule 602 – no personal knowledge; confirmed by answer “I would hope ...”
101:1-4	Form: Calls for speculation (“any sense”); Rule 402 or 403; Rule 602 – no personal knowledge; confirmed by answer “I would hope ...”
101:5-9	Form: Calls for speculation (“any sense”); Rule 402 or 403; Rule 602 – no personal knowledge; confirmed by answer “I would hope ...”; Rule 802 – hearsay (as to alleged concerns of farmers)
101:10-19	Rule 402 or 403; Form: Vague (“do what’s right”)
102:1-15	Rule 402 or 403: Inquiry not relevant as Board has no enforcement role with respect to litter spreading
116:2-23	Form (cumulative; asked and answered); Rule 402 and 403; Rule 602
117:2-20	Form (cumulative; asked and answered); Rule 402 and 403; Rule 602

MEAGAN SMITH - OBJECTIONS TO DESIGNATIONS

36:20-37:16 Rule 602 lack of personal knowledge
39:14-16 Assumes facts not in evidence, 701 Foundation and opinion of lay witness without technical or specialized knowledge, Rule 602 Lack of personal knowledge
40:1-9 701 Foundation and opinion of lay witness without technical or specialized knowledge,
55:2-12 Lack of foundation, Rule 602 Lack of personal knowledge
67:21-68:2 Assumes facts not in evidence
83:21-84:2 Assumes facts not in evidence, Rule 602 Lack of personal knowledge
88:2-10 Mischaracterizes testimony
90:5-11 Compound
92:13-17 Mischaracterizes testimony, argumentative
95:9-14 Assumes facts not in evidence
130:12-18 Mischaracterizes testimony, argumentative, assumes facts not in evidence
153:12-21 Assumes facts not in evidence, unintelligible
154:2-25 Mischaracterizes testimony
169:12-24 Mischaracterizes testimony, Rule 802
170:1-14 Mischaracterizes testimony, assumes facts not in evidence or in dispute, argumentative
175:9-18 Rule 602 Lack of personal knowledge, calls for speculation
180:13-181:3 Mischaracterizes testimony, Rule 602 Lack of personal knowledge, calls for speculation

DEREK SMITHEE**Objections as to Form of Question**

19:3-8	Speculation
23:8-10	Speculation; Calls for a legal conclusion
24:7-10	Speculation; Calls for a legal conclusion
49:22-24	Speculation
105:6-7, 16-17	Speculation
171:22-23	Asked and answered
180:16-18	Speculation

OBJECTIONS TO DEFENDANTS' DESIGNATIONS

14:4-5; 13-25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
15:1-16	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
16:4-15; 23-25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
17:1-8; 14-25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
18:1-3; 14-25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
19:1-2; 9-13, 20-25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
	F.R.E. 602 – Lack of Personal Knowledge
	F.R.E. 701 – Opinion of Lay Witness (not based on specialized knowledge)
20:15-16	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
	F.R.E. 602 – Lack of Personal Knowledge; Lack of foundation
21:20 – 23:5	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
23:11 – 24:6	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
24:11-16, 24:21-25:2	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
29:5-20	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
30:4-8	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
32:18-24	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
33:2-20; 24	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
36:12 – 37:2	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
	F.R.E. 602 – Lack of Personal Knowledge
42:10-17, 22-25 and 43:1-3, 6-8	F.R.E. 401, 402, 403 – General relevance; confusion of the issues and F.R.E. 602 – Lack of Personal Knowledge
45:2-5, 16-25 and 46:1-4	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
53:5-12, 15-25 and 54:9-25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
59:16 – 60:6	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
79:18-19	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
80:14-23	F.R.E. 401, 402, 403 – General relevance; confusion of the issues

and 81:4 – 82:10	F.R.E. 602 – Lack of Personal Knowledge
82:14-24	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
83:13 – 84:4	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
84:9 – 85:18	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
86:6-14, 22-25 and 87:1	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
88:24 – 89:9	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
93:2-14	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
103:14 – 104:5	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
104:14 – 105:22	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
106:5-9	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
114:6 – 115:6	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
115:15 – 116:2	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
151:19 – 152:2	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
152:12-14	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
153:8-17	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
154:7-9	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
167:5-8, 12-22	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
170:15-19	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
172:3-13	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
172:18-24	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
172:25 – 174:20	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
176:4-10, 17-18, and 22-24	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
177:5-16	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
178:11-16, 25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
179:1-4, 8, 14-15 and 19-25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
180:1-8, 13-24	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge

SCOTT THOMPSON – JANUARY 4, 2008

Objections

19:15-21 – Calls for a legal conclusion; Calls for speculation
19:22-20:4 – Calls for a legal conclusion; Calls for speculation
31:25-32:3 – Calls for speculation
47:12-18 – Lacks foundation, no personal knowledge – FRE 602
50:6-13 – Lacks foundation – FRE 602
66:2-12 – Calls for legal conclusion
66:13-17 – Calls for legal conclusion; Lacks foundation – FRE 602
68:13-18 – Calls for speculation
71:20-72:6 – Counsel is testifying; Leading
77:8-78:1 – Hypothetical; Calls for speculation; Relevance – FRE 401-403
87:15-24 – Hypothetical; Calls for speculation; Relevance – FRE 401-403
91:19-25 – Hypothetical; Calls for speculation; Relevance – FRE 401-403
94:2-18 – Relevance – FRE 401-403
102:12-18 – Relevance – FRE 401-403

STEPHEN THOMPSON - OBJECTIONS TO DESIGNATIONS 1

24:12-16 Rule 401 relevance, Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge

29:15-25 Rule 401 relevance, Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge , calls for speculation, calls for legal conclusions.

30:1-5 calls for speculation, calls for legal conclusion, Rule 401 relevance, Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge

38:20-24 Rule 401 relevance

39:1-16 Rule 401 relevance

39:17-22 Rule 401 relevance

40:11-14 calls for a legal conclusion

40:15-22 calls for legal conclusions

42:2-5 Rule 402 and 403 Relevance, calls for legal conclusions, Rule 602 lack of personal knowledge, Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge

42:8-10 Rule 402 and 403 Relevance, calls for legal conclusions, Rule 602 lack of personal knowledge, Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge

42:13-17 Rule 402 and 403 Relevance, calls for legal conclusions, Rule 602 lack of personal knowledge, Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge

42: 20-24 Rule 402 and 403 Relevance, calls for legal conclusions, Rule 602 lack of personal knowledge, Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge

43:20-44:1 calls for legal conclusion, Rule 401 relevance

50:10-14 Calls for speculation, Rule 401 relevance, Rule 602 lack of personal knowledge

53:23-54:1 Rule 402 and 403 Relevance, Calls for speculation, Rule 602 lack of personal knowledge, Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge

59:23-60:1 calls for legal conclusion.

64:10-18 Rule 602 lack of personal knowledge, calls for speculation

65:4-24 Rule 602 lack of personal knowledge, calls for speculation

75:15 Rule 402 and 403 Relevance

75:23 Rule 402 and 403 Relevance

76:2-5 Rule 402 and 403 Relevance

76:15-77:16 Rule 402 and 403 Relevance

77:19 Rule 402 and 403 Relevance

77:25-78:2 Rule 402 and 403 Relevance

78:6-10 calls for speculation, Rule 602 lack of personal knowledge, Rule 401 relevance

78:13-79:21 Rule 402 and 403 Relevance

81:8-23 calls for speculation, Rule 401 relevance, Rule 602 lack of personal knowledge.

86:16-87:24 Rule 402 and 403 Relevance

93:6-13 argumentative, assumes facts not in evidence, Rule 602 lack of personal knowledge

96:13-25 Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge, Rule 602 lack of personal knowledge, calls for speculation
101:25-103:1 Rule 402 and 403 Relevance
125:9-11 Rule 502 attorney client communications

MIKE THRALLS – OBJECTIONS TO DESIGNATIONS

7:19-20	Rule 402 and 403 Relevance
9:8-9	Rule 402 and 403 Relevance
9:11-12	Rule 402 and 403 Relevance
11:10-11	Rule 701 Calls for a Legal Conclusion
11:25-12:3	Rule 701 Calls for a Legal Conclusion
12:7-10	Rule 701 Calls for a Legal Conclusion
12:19-22	Rule 701 Calls for a Legal Conclusion, and Rule 602 Speculation
13:8-14	Rule 701 Calls for a Legal Conclusion
42:23-43:2	Rule 402 and 403 Relevance
44:15-17	Rule 701 Calls for a Legal Conclusion
58:23-59:1	Rule 602 Lack of Personal Knowledge, calls for speculation
74:5-7	Rule 602 Calls for Speculation
78:12-14	Rule 602 Calls for Speculation
79:24-80:3	Rule 402 and 403 Relevance, Rule 602 Calls for speculation, and Rule 701 Calls for a Legal Conclusion
80:11-16	Rule 402 and 403 Relevance, Rule 602 Calls for speculation, and Rule 701 Calls for a Legal Conclusion
87:7-10	Rule 602 Calls for speculation
97:9-11	Rule 701 Calls for a Legal Conclusion
97:14-15	Rule 701 Calls for a Legal Conclusion
103: 11-12	Rule 402 and 403 Relevance
103:14-17	Rule 402 and 403 Relevance
105: 15-17	Rule 701 Calls for a Legal Conclusion, Rule 602 Calls for speculation
106: 4-5	Rule 602 Calls for speculation
107: 10-12	Rule 701 Calls for a Legal Conclusion
107: 25-108:1	Rule 602 Calls for speculation
108:8-9	Rule 701 Calls for a Legal Conclusion
110:5-9	Rule 602 Calls for speculation and Lack of personal knowledge
121:12-14	Rule 701 Calls for a Legal Conclusion
158:21-24	Rule 701 Calls for a Legal Conclusion
167: 20-21	Rule 402 and 403 Relevance
167:23-25	Rule 402 and 403 Relevance
168: 3-6	Rule 402 and 403 Relevance

ROGER TOURANGEAU, PhD – OBJECTIONS TO DESIGNATIONS

12:21-13:1	Rule 401 – Relevance; Rule 403 – Unfair prejudice, misleading to jury
13:2-8	Rule 401 – Relevance; Rule 403 – Confusion of the issues or misleading to jury
13:9-11	Rule 403 – Confusion of the issues or misleading to jury
13:12-15	Rule 403 – Confusion of the issues or misleading to jury
13:24-14:3	Rule 401 – Relevance; Rule 403 – Unfairly prejudicial, misleading to jury
16:20-17:4	Rule 401 – Relevance; Rule 403 – Unfairly prejudicial, misleading to jury
17:9-12	Rule 403 – Confusion of the issues or misleading to jury
17:13-18	Rule 403 – Confusion of the issues or misleading to jury
17:19-22	Rule 403 – Confusion of the issues or misleading to jury
17:23-18:8	Rule 403 – Confusion of the issues or misleading to jury
18:9-14	Rule 403 – Confusion of the issues or misleading to jury
18:15-17	Rule 403 – Confusion of the issues or misleading to jury
19:20-20:16	Rule 403 – Confusion of the issues or misleading to jury re: “after that survey was completed” on Line 20
21:6-11	Rule 403 – Confusion of the issues or misleading to jury
21:12-15	Rule 403 – Confusion of the issues or misleading to jury
21:23-25	Rule 403 – Confusion of the issues or misleading to jury
34:13-25	Rule 403 – Confusion of the issues or misleading to jury
35:1-3	Rule 403 – Confusion of the issues or misleading to jury
39:4-7	Rule 403 – Confusion of the issues or misleading to jury
39:8-10	Rule 403 – Confusion of the issues or misleading to jury
39:21-25	Objection to form – mischaracterizes previous testimony re: meaning of “prompt”
41:2-20	Objection to form - compound
42:2-6	Rule 403 – Confusion of the issues or misleading to jury
42:7-12	Rule 403 – Confusion of the issues or misleading to jury; objection to form – asked and answered
42:24-43:3	Rule 403 – Confusion of the issues or misleading to jury
43:4-6	Rule 403 – Confusion of the issues or misleading to jury
43:7-9	Rule 403 – Confusion of the issues or misleading to jury
54:20-55:7	Objection to form – vague re: “does that matter”
55:8-15	Objection to form – compound
55:21-56:7	Objection to form – vague, ambiguous
56:13-57:8	Objection to form – assumes facts in dispute or not in evidence
57:9-13	Objection to form – vague re: “all that matters”
57:14-18	Objection to form – vague
59:23-60:3	Objection to form – assumes facts not in evidence
65:19-25	Objection to form – vague re: “would that matter”
66:16-21	Objection to form – calls for speculation
66:22-67:7	Objection to form – calls for speculation
67:8-13	Objection to form – vague re: “do you think it was important”
67:14-16	Objection to form – vague
67:20-68:1	Objection to form – calls for speculation

69:15-20	Rule 802 – Hearsay; Rule 602 – Foundation
69:21-23	Rule 802 – Hearsay; Rule 602 – Foundation
69:24-70:2	Rule 802 – Hearsay; Rule 602 – Foundation
73:1-6	Rule 802 – Hearsay; Rule 602 – Foundation
73:7-9	Rule 802 – Hearsay; Rule 602 – Foundation
73:10-11	Rule 802 – Hearsay; Rule 602 – Foundation
73:17-20	Objection to form – vague
73:21-24	Objection to form – vague
73:25-74:2	Objection to form – vague
74:9-14	Objection to form – vague
75:9-19	Objection to form – vague re: “it matters”
76:13-19	Rule 802 – Hearsay; Rule 602 – Foundation
76:20-77:1	Objection to form – asked and answered (e.g., 75:24-76:5)
78:8-11	Objection to form – vague; asked and answered
80:20-23	Rule 802 – Hearsay; Rule 602 – Foundation
80:24-25	Rule 802 – Hearsay; Rule 602 – Foundation
81:1-3	Rule 802 – Hearsay; Rule 602 – Foundation
81:4-8	Rule 802 – Hearsay; Rule 602 – Foundation
81:9-16	Objection to form – vague, compound
81:17-22	Rule 802 – Hearsay
82:2-4	Rule 403 – Confusion of the issues or misleading to jury
83:7-11	Rule 802 – Hearsay; Rule 602 – Foundation
83:20-24	Rule 802 – Hearsay; Rule 602 – Foundation
84:4-10	Rule 802 – Hearsay; Rule 602 – Foundation
85:1-6	Rule 802 – Hearsay; Rule 602 – Foundation
85:7-13	Rule 403 – Confusion of the issues or misleading to jury
85:14-18	Rule 403 – Confusion of the issues or misleading to jury
85:19-21	Objection to form – assumes facts not in evidence
89:10-12	Rule 502 – A/C or W/P
119:22-120:9	Rule 602 – Foundation; calls for speculation
120:24-121:8	Objection to form – vague re: “did that matter”
123:24-124:6	Calls for speculation
126:16-22	Objection to form – vague
132:13-18	Rule 403 – Confusion of the issues or misleading to jury
132:19-20	Rule 403 – Confusion of the issues or misleading to jury
132:21-25	Rule 403 – Confusion of the issues or misleading to jury
133:1-2	Rule 403 – Confusion of the issues or misleading to jury
133:3-8	Rule 403 – Confusion of the issues or misleading to jury
137:16-25	Rule 106 – Designation incomplete
177:2-10	Objection to form – asked and answered
181:13-19	Rule 602 – Foundation
182:4-10	Objection to form – assumes facts not in evidence
183:9-21	Objection to form – asked and answered

HARDY WATKINS – OBJECTIONS TO DESIGNATIONS

8:1-2	Rule 701, Opinion of lay witness
73:5-13	Rules 401, 402, 403 Relevance
86:25	Rules 401, 402, 403 Relevance; Rule 502 Attorney-client privilege and work product doctrine; Rule 602 Lack of personal knowledge; Rule 701 opinion of a lay witness
87:1-6, 8-10, 12-14	Rules 401, 402, 403 Relevance; Rule 502 Attorney-client privilege and work product doctrine; Rule 602 Lack of personal knowledge; Rule 701 opinion of a lay witness
92:4-6	Rules 401, 402, 403 Relevance

DEPOSTION OF RAY WEAR

Date of Deposition – 10/09/07

Note: This witness was also designated by Plaintiff. Plaintiff has not made any counter-designations or objections to the designations of Defendant for this witness.

EUGENE WELCH - OBJECTIONS TO DESIGNATIONS

50:14-18 Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge, Rule 602 Lack of personal knowledge, Rule 401 relevance

79:8 Calls for speculation, Rule 602 Lack of personal knowledge

129:14-17 Calls for speculation, Rule 602 Lack of personal knowledge

EUGENE WELCH - OBJECTIONS TO DESIGNATIONS

242:16-23	Assumes facts not in evidence, Rule 403 misleading to jury
251:11-19	Compound question
251:20-252:3	Compound, mischaracterizes testimony
262:20-24	Rule 401 relevance, Rule 602 Lack of personal knowledge
264:23-265:7	Rule 401 relevance
282:6-17	Compound
288:12-23	Rule 701, Rule 602 Lack of personal knowledge
296:6-16	Rule 401 relevance, Rule 602 Lack of personal knowledge
309:21-310:9	Asked and answered
350:15-18	Asked and answered
351:8-13	Asked and answered
366:4-13	Compound
366:14-22	Compound
367:1-10	Compound

STEPHEN WILLIAMS - OBJECTIONS TO DESIGNATIONS

13:10-12	Rule 401 Relevance
13:13-16	Rule 401 Relevance
13:17:20	Rule 401 Relevance
13:21-23	Rule 401 Relevance
13:24-25	Rule 401 Relevance
14:1-5	Rule 401 Relevance
14:6-9	Rule 401 Relevance
14:10-14	Rule 401 Relevance
16:15-18	Rule 401 Relevance; Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge
16:19-20	Rule 401 Relevance; Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge
16:21-17:2	Rule 401 Relevance; Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge
17:3-8	Rule 401 & 403 Relevance; Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge
17:14-17	Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge
17:18-22	Rule 401 & 403 Relevance; Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge
17:23-18:1	Rule 401 & 403 Relevance; Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge
18:2-19:3	Lines 2, 5, 9, 13, 19, 23; Rule 401 & 403 Relevance; Rule 701 Foundation and opinion of lay witness without technical or specialized knowledge
20:1-15	Line 1 & 7; Rule 401 & 403 Relevance; Rule 602 Foundation, lack of personal knowledge; Rule 802 Hearsay
21:19-25	Rule 602 Lack of knowledge foundation for “any time”
22:1-4	Rule 602 Foundation, lack of personal knowledge; Rule 701 lack of specialized knowledge re: “septic tanks typically have”
32:21-33:1	Rule 802 Hearsay
67:12-16	Rule 802 Hearsay
89:19-22	Rule 602 Foundation lack of knowledge; Rule 701 Opinion of lay witness not based on specialized knowledge
129:22-25	Rule 401 & 403 Relevance
132:2-5	Rule 403 Relevance, confusion of issues and misleading the jury; Rule 602 Lack of foundation and knowledge

RANDY YOUNG – OBJECTIONS TO DESIGNATIONS

219:12-14 Rule 611(a), leading

222:25–223:2 Rule 611(a), leading; and incomplete or ambiguous

223:23-25 Rule 611(c), leading

224:23-225:3 Rule 611(c), leading; Rule 402-Relevance

225:16-20 Rule 611(c), leading, ambiguous or unintelligible, compound (Is witness being asked if he agrees “with the use of poultry litter as fertilizer” or that it has become “more tightly regulated”?)

225:25-226:3 Rule 611(c), leading, lacks foundation, Rule 602

227:12-13 Ambiguous, vague, unintelligible

233:9-13 Rule 402-Relevance, Rule 602, no foundation

241:17-19 Rule 802, hearsay, Rule 602, witness lacks personal knowledge, Rule 403, misleading and unfairly prejudicial, and assumes facts not in evidence

250:13-15 Rule 611(b)-outside the scope of direct examination; Rule 402-Relevance; Rule 602-no foundation, misleading, assumes facts not in evidence

251:24-252:2 Rule 611(b)-outside the scope of direct examination; Rule 402-Relevance; Rule 602-no foundation, misleading, assumes facts not in evidence

252:6-8 Rule 611(b)-outside the scope of direct examination; Rule 402-Relevance; Rule 602- no foundation, misleading, assumes facts not in evidence

252:13-15 Rule 611(b)-outside the scope of direct examination; Rule 402-Relevance; Rule 602-no foundation, misleading, assumes facts not in evidence

252:20-22 Rule 611(b)-outside the scope of direct examination; Rule 402-Relevance; Rule 602-no foundation, misleading, assumes facts not in evidence

253:3-5 Rule 611(b)-outside the scope of direct examination; Rule 402-Relevance; Rule 602-no foundation, misleading, assumes facts not in evidence

253:10-14 Rule 611(b)-outside the scope of direct examination; Rule 402-Relevance; Rule 602-no foundation, misleading, assumes facts not in evidence

253:24-25 Rule 402-Relevance, vague and misleading

254:5-6 Rule 611(c), leading; Rule 402-Relevance; Rule 602-no foundation, misleading

HAILIN ZHANG – OBJECTIONS TO DESIGNATIONS

42:14-17	Rule 402 and 403 Relevance
42:22-25	Rule 402 and 403 Relevance
81:9-15	Rule 402 and 403 Relevance
81:17-19	Rule 402 and 403 Relevance
81:23-24	Rule 402 and 403 Relevance
82:1-4	Rule 402 and 403 Relevance
82:6-9	Rule 402 and 403 Relevance
82:13-14	Rule 402 and 403 Relevance
82:16-19	Rule 402 and 403 Relevance
101:18-21	Rule 402 and 403 Relevance and Rule 701 Calls for a Legal Conclusion
102:16-18	Rule 402 and 403 Relevance
124:21-25	Rule 402 and 403 Relevance
125:18-20	Rule 402 and 403 Relevance
157:20-23	Rule 402 and 403 Relevance
177:11-13	Rule 402 and 403 Relevance
220:16-19	Rule 701 Calls for a Legal Conclusion
220:23-221:1	Rule 701 Calls for a Legal Conclusion
221:7-10	Rule 402 and 403 Relevance
222:20-24	Rule 611(c) Leading